

PB# 07-17

**Fumarola
(Sub.)**

55-3-5

07-17 Fumarella Sub. - (2 lots)
Rt. 207 (Yanosh)

TOWN OF NEW WINDSOR
PLANNING BOARD
APPROVED COPY

DATE: 4-15-08

Orange County Department of Planning
Application for Mandatory County Review of Local Planning Action
(Variances, Zone Changes, Special Permits, Subdivisions)

To be completed by Local Board having jurisdiction.
To be signed by Local Official.

MUNICIPALITY: T/New Windsor

TAX MAP ID: 55-3-5
(Section-Block-Lot)

Local File #: 07-17
Please refer to this number in any correspondence.

Project Name: Fumarola Minor Subdivision

Applicant: Joseph Fumarola
Address: 1 South Street, Washingtonville, NY 10992

Send Copy of Letter to Applicant: (check one)
Yes ☒ No ☐

Attorney, Engineer, Architect: _____

Location of Site: South Side of NYS Route 207
(Street, highway, nearest intersection)

Size of Parcel: 6.11

Existing Lots: 1

Proposed Lots/Units: 2

Present Zoning District: R-1

TYPE OF REVIEW:

- ☐ Site Plan (SP): _____
- ☐ Special Use Permit* (SUP) _____
- ☐ Variance* USE (UV): _____
 AREA (AV): _____
- ☐ Zoning District Change* From: _____ To: _____
- ☐ Zoning Amendment To Section: _____
- ☒ Subdivision: Major _____ Minor X
- ☐ Sketch ☐ Preliminary ☒ Final (Please indicate stage)
- ☐ Other Comments: _____

Date: 9-11-07

Mark J. Edsall, P.E., P.P.
Signature

Mark J. Edsall, P.E., P.P.
Engineer for the Planning Board

* Cite Section of Zoning Regulations where pertinent.

FOR COUNTY USE ONLY

County ID# _____
GML 239 Referral Guide -- 02/27/2007

Sent 9/11/07



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4693

OFFICE OF THE PLANNING BOARD

11 September 2007

Mr. Richard Dillmann, P.E., Regional Traffic Engineer
NYS Department of Transportation, Region 8
4 Burnett Boulevard
Poughkeepsie, N.Y. 12603

SUBJECT: FUMAROLA MINOR SUBDIVISION – NYS ROUTE 207
NEW WINDSOR PLANNING BOARD NO. 07-17

Dear Mr. Dillmann:

The Town of New Windsor Planning Board has received an application for subdivision approval of a two (2) lot minor subdivision located on NYS Route 207 within the Town. The Planning Board has determined that the applicant will be required to obtain a Highway Work Permit from your Department.

We are forwarding herewith a copy of the plan submitted with the application for your review and comment. We request that you notify the Planning Board of any concerns regarding this application, which should be considered by the Board during their review of the project.

It is not the intent that these plans be considered the plans required for the Permit application, as these will be the responsibility of the applicant following site plan approval from the Town.

We look forward to your input regarding this application before the Board.

Very truly yours,

TOWN OF NEW WINDSOR PLANNING BOARD

Mark J. Edsall, P.E., P.P.

Mark J. Edsall, P.E., P.P.
Engineer for the Planning Board

MJE/st
NW07-17-DOT Ref 06-28-07

Map Number 295-08

Section 55 Block 3 Lot 5

City
Town
Village

H. Windsor

07-17

Title: Fumasola Joseph M. & Jamie D.

Dated 11-20-07 Rev. 4-28-08

Approved by

Gerardo Argenio

on

4-15-08

Record Owner

Joseph M. & Jamie E Fumasola

DONNA L. BENSON
Orange County Clerk

2 Sheets * 20.00

1 Signed 3.00

Total 23.00

RECORDED/FILED ORANGE COUNTY
BOOK 02008 PAGE 0295
04/28/2008/ 13:45:22
FILE NUMBER 20080044319
RECEIPT#879002 patti



PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 04/18/2008

PAGE: 1

LISTING OF PLANNING BOARD ACTIONS

STAGE:

STATUS [Open, Withd]
A [Disap, Appr]

FOR PROJECT NUMBER: 7-17

NAME: JOSEPH FUMAROLA

APPLICANT: JOSEPH FUMAROLA

--DATE--	MEETING-PURPOSE-----	ACTION-TAKEN-----
04/15/2008	PLANS STAMPED	APPROVED
01/16/2008	P.B. APPEARANCE	LA:ND APPR COND
	. DOMINIC TO DO RESOLUTIONS - NEED FEES PAID	
06/27/2007	P.B. APPEARANCE	LA COOR LTR. WVE PH
	. WAIVED PH; SEND LA COORD LETTER; SEND TO OC PLANNING DOT	
	. PERCS TO BE WITNESSED BY MARK'S OFFICE	

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 04/07/2008

PAGE: 1

LISTING OF PLANNING BOARD FEES
RECREATION

FOR PROJECT NUMBER: 7-17
NAME: JOSEPH FUMAROLA
APPLICANT: JOSEPH FUMAROLA

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
02/19/2008	1 LOT RECREATION FEE	CHG	3000.00		
04/07/2008	REC CK #5393	PAID		3000.00	
		TOTAL:	3000.00	3000.00	0.00

Phenaga 4-7-08

P.B. #07-17 Recreation Fee

RYE HILL ESTATES CORP. 496-3618
P.O. BOX 10
WASHINGTONVILLE, NY 10992

5393

50-7044/2219

PAY
TO THE
ORDER OF

DATE

4/2/08

\$ 3,000.00

DOLLARS

Provident Bank
24 - MONROE, NY 10950

FOR *PB #07-17 1 lot recreation fee*

⑈005393⑈ ⑆221970443⑆ 04108437⑈

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 04/07/2008

PAGE: 1

LISTING OF PLANNING BOARD FEES
ESCROW

FOR PROJECT NUMBER: 7-17
NAME: JOSEPH FUMAROLA
APPLICANT: JOSEPH FUMAROLA

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
06/08/2007	REC. CK. #3390	PAID		400.00	
06/27/2007	P.B. ATTY: CORDISCO	CHG	315.00		
06/27/2007	P.B. MINUTES	CHG	35.00		
01/16/2008	P.B. MINUTES	CHG	35.00		
02/04/2008	P.B. ENGINEER FEE	CHG	826.70		
04/07/2008	REC. CK. #5392	PAID		811.70	
TOTAL:			1211.70	1211.70	0.00

4/7/08

To close out escrow
for #07-17

J. Henry
4-7-08

#07-17 ESCROW

Security enhanced document. See back for details.

5392

RYE HILL ESTATES CORP. 496-3618
P.O. BOX 10
WASHINGTONVILLE, NY 10992

50-7044/2219

PAY
TO THE
ORDER OF

DATE

4/2/08

\$ 811.70

Eight hundred eleven

70/100

DOLLARS

Provident Bank
24 - MONROE, NY 10950

FOR PB #07-17 #1402 ESCROW

⑈005392⑈ ⑆221970443⑆ 04108437⑈



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4689

OFFICE OF THE PLANNING BOARD

February 25, 2008

Daniel Yanosh
P.O. Box 320
Circleville, NY 10919

ATTN: DANIEL YANOSH

SUBJECT: P.B. #07-17 FUMAROLA SUBDIVISION

Dear Dan:

Please find attached printouts of fees due for subject project.

Please contact your client, the applicant, and ask that payment be submitted in separate checks, payable to the Town of New Windsor, as follows:

Check #1 - Approval Fee.....	\$ 210.00
Check #2 - Amount over escrow posted.....	\$ 811.70
Check #3 - 1 lot Recreation Fee.....	\$ 3,000.00

Upon receipt of these checks and ten (10) sets of plans **(with at least five (5) sets being folded)** and a mylar, I will have the plans stamped and signed approved.

If you have any questions in this regard, please contact my office.

Very truly yours,

Myra L. Mason, Secretary To The
NEW WINDSOR PLANNING BOARD

MLM

cc: Bernadette Fumarola

PAID

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 04/07/2008

PAGE: 1

LISTING OF PLANNING BOARD **FEES**
APPROVAL

FOR PROJECT NUMBER: 7-17
NAME: JOSEPH FUMAROLA
APPLICANT: JOSEPH FUMAROLA

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
02/19/2008	APPROVAL FEE	CHG	210.00		
04/07/2008	REC. CK. #5391	PAID		210.00	
			-----	-----	-----
		TOTAL:	210.00	210.00	0.00

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 02/21/2008

PAGE: 1

LISTING OF PLANNING BOARD FEES
ESCROW

FOR PROJECT NUMBER: 7-17
NAME: JOSEPH FUMAROLA
APPLICANT: JOSEPH FUMAROLA

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
06/08/2007	REC. CK. #3390	PAID		400.00	
06/27/2007	P.B. ATTY: CORDISCO	CHG	315.00		
06/27/2007	P.B. MINUTES	CHG	35.00		
01/16/2008	P.B. MINUTES	CHG	35.00		
02/04/2008	P.B. ENGINEER FEE	CHG	826.70		
		TOTAL:	1211.70	400.00	811.70

D.O. Bx 10
Wash 10992

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 02/21/2008

PAGE: 1

LISTING OF PLANNING BOARD **FEES**
APPROVAL

FOR PROJECT NUMBER: 7-17
NAME: JOSEPH FUMAROLA
APPLICANT: JOSEPH FUMAROLA

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
02/19/2008	APPROVAL FEE	CHG	210.00		
			-----	-----	-----
		TOTAL:	210.00	0.00	210.00

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 02/21/2008

PAGE: 1

LISTING OF PLANNING BOARD **FEE**
RECREATION

FOR PROJECT NUMBER: 7-17
NAME: JOSEPH FUMAROLA
APPLICANT: JOSEPH FUMAROLA

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
02/19/2008	1 LOT RECREATION FEE	CHG	3000.00		
			-----	-----	-----
		TOTAL:	3000.00	0.00	3000.00

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 02/21/2008

PAGE: 1

LISTING OF PLANNING BOARD **FEEs**
ESCROW

FOR PROJECT NUMBER: 7-17
NAME: JOSEPH FUMAROLA
APPLICANT: JOSEPH FUMAROLA

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
06/08/2007	REC. CK. #3390	PAID		400.00	
06/27/2007	P.B. ATTY: CORDISCO	CHG	315.00		
06/27/2007	P.B. MINUTES	CHG	35.00		
01/16/2008	P.B. MINUTES	CHG	35.00		
02/04/2008	P.B. ENGINEER FEE	CHG	826.70		
		TOTAL:	1211.70	400.00	811.70

AS OF: 02/04/2008

CHRONOLOGICAL JOB STATUS REPORT

CB: 87-56

NEW WINDSOR PLANNING BOARD (Chargeable to Applicant)

CLIENT: NEWWIN - TOWN OF NEW WINDSOR

ASK: 7- 17

JOB AND WORK ON FILE:

BOOK-NO	REC	DATE	TEAM	EMPL	ACT DESCRIPTION	RATE	HRS.	TIME	EXP.	BILLED	BALANCE
7-17	323346	12/05/06	TIME	MJE	NR FUMAROLLA S/D RT 207	115.00	0.30	34.50			
7-17	323327	06/12/07	TIME	MJE	NR FUMAROLLA SUB	119.00	0.40	47.60			
7-17	323331	06/13/07	TIME	MJE	NR FUMAROLLA SUB	119.00	0.20	23.80			
7-17	324386	06/19/07	TIME	MJE	MC TIDALUX PERCS	119.00	0.20	23.80			
7-17	325099	06/25/07	TIME	MJE	NR FUMAROLA SUB	119.00	0.20	23.80			
7-17	325084	06/27/07	TIME	MJE	NR FUMAROLA W/GA	119.00	0.20	23.80			
7-17	325100	06/27/07	TIME	MJE	MC REV FUMAROLA PERCS	119.00	0.30	35.70			
7-17	325104	06/27/07	TIME	MJE	NR FUMAROLA (REG MTS)	119.00	0.30	35.70			
7-17	325087	06/28/07	TIME	MJE	AA FUMAROLA REF DOT	119.00	0.30	35.70			
7-17	325088	06/28/07	TIME	MJE	AA FUMAROLA REF OCDF	119.00	0.45	47.60			
7-17	325085	06/28/07	TIME	MJE	AA FUMAROLA L/A COR LTR	119.00	0.30	35.70			
7-17	325090	06/28/07	TIME	MJE	MC NC TIDALUX AS PERCS	119.00	0.20	23.80			
7-17	325109	06/28/07	TIME	MJE	MC REV FUMAROLA PERCS	119.00	0.20	23.80			
7-17	325211	06/28/07	TIME	MJE	PI FUMAROLA S/D/PERCS	62.00	2.50	155.00			
7-17	328528	07/23/07	TIME	MJE	MC LCU T/PERCS	119.00	0.40	47.60			
								617.90			
7-17	327592	07/20/07			BILL 07-1914					-570.30	
										-570.30	
7-17	364072				PD/CR 07-1914 PD 08/08/07		270.30				
7-17	330250	08/15/07			BILL 07-2170					-47.60	
										-47.60	
7-17	364271				PD/CR 07-2170 PD 08/27/07		47.60				
7-17	331507	08/11/07	TIME	MJE	MC MM FUMAROLA	119.00	0.40	47.60			
								47.60			
7-17	341330	11/19/07			BILL 07-3081					-47.60	
										-47.60	
7-17	365395				PD/CR 07-3081 PD 12/05/07		67.60				
7-17	368783	01/11/08	TIME	MJE	MA FUMAROLLA SUB	124.00	0.50	62.00			
7-17	347916	01/14/08	TIME	MJE	MC TC/GA RE FUMAROLA IS	124.00	0.30	37.20			
7-17	347942	01/16/08	TIME	MJE	MM FUMAROLLA SUB REG MT	124.00	0.40	49.60			
7-17	347971	01/16/08	TIME	MJE	MC TC/GA RE FUMAROLA	124.00	0.10	12.40			
								=====			
					TASK TOTAL			826.70		-665.50	161.20
									0.00		
								=====			
					GRAND TOTAL			826.70		-665.50	161.20
									0.00		

Date	Received From/Paid To	Che#	General	Bld	Trust Activity	
Entry #	Explanation	Rec#	Disbs	Inv#	Acc	Balance
12132	TOWN OF NEW WINDSOR					
6085929	FUMAROLA, JOSEPH SUBDIVISION PB# 07-17					Resp Lawyer: JRL
Jun 13/2007	Lawyer: DRC 0.30 Hrs X 175.00			52.50	4147	
75846	REVIEW APPLICATION MATERIALS					
Jun 13/2007	Lawyer: DRC 0.10 Hrs X 175.00			17.50	4147	
75847	REVIEW M EDSALL'S COMMENTS PB# 07-17					
Jun 27/2007	Lawyer: ALR 0.20 Hrs X 175.00			35.00	4147	
79222	ATTEND TOWN OF NEW WINDSOR PLANNING BOARD FOR MEETING ON FUMAROLA PB# 07-17					
Jun 27/2007	Lawyer: ALR 0.10 Hrs X 175.00			17.50	4147	
79223	PREPARE MEMO RE ACTION TAKEN BY PLANNING BOARD ON FUMAROLA PB# 07-17					
Jul 13/2007	Billing on Invoice 4147		0.00		4147	
81239	FEES 122.50					
Jul 27/2007	TOWN OF NEW WINDSOR	1130822	52.50			
84259	PMT - PAYMENT ON ACCOUNT					
Jul 27/2007	TOWN OF NEW WINDSOR	1130822	70.00			
84260	PMT - PAYMENT ON ACCOUNT					
Jan 13/2008	Lawyer: DRC 0.30 Hrs X 175.00			52.50		
116128	REVIEW REVISED APPLICATION MATERIALS PB# 07-17					
Jan 16/2008	Lawyer: DRC 0.30 Hrs X 175.00			52.50		
116521	ATTEND PLANNING BOARD MEETING PB# 07-17					
Jan 19/2008	Lawyer: DRC 1.20 Hrs X 175.00			210.00		
117257	PREPARE RESOLUTION ADOPTING A NEGATIVE DECLARATION, THE NEGATIVE DECLARATION AND THE RESOLUTION GRANTING PRELIMINARY AND FINAL SUBDIVISION APPROVAL PB# 07-17					

TOTALS	CHE	+	UNBILLED	+	FEES	=	TOTAL	DISBS	+	FEES	+	TAX	-	RECEIPTS	=	BALANCES	-	TRUST
PERIOD	0.00		0.00		315.00		315.00	0.00		122.50		0.00		122.50		0.00		0.00

REPORT SELECTIONS - Client Ledger

Layout Template Default
 Requested by Rose Thoma
 Finished Wednesday, January 23, 2008 at 11:55:43 AM
 Ver 8.20c
 Matters 6085929
 Clients All
 Major Clients All
 Client Intro Lawyer All
 Matter Intro Lawyer All
 Responsible Lawyer All
 Assigned Lawyer All
 Type of Law All
 Select From Active, Inactive Matters
 Matters Sort by Default
 New Page for Each Lawyer No
 New Page for Each Matter No
 No Activity Date Dec 31/2199
 Firm Totals Only No
 Totals Only No
 Entries Shown - Billed Only No
 Entries Shown - Disbursements Yes
 Entries Shown - Receipts Yes
 Entries Shown - Time or Fees Yes
 Entries Shown - Trust Yes
 Incl. Matters with Retainer Bal No
 Incl. Matters with Neg Unbld Disb No
 Trust Account All
 Working Lawyer All
 Include Corrected Entries No
 Show Check # on Paid Payables No
 Show Client Address No
 Consolidate Payments No
 Show Trust Summary by Account No
 Printed from Register

RESOLUTION GRANTING PRELIMINARY AND FINAL SUBDIVISION APPROVAL

*2 Lot Subdivision - Lands of Joseph Fumarola
PB #07-17
S-B-L 55-3-5*

WHEREAS, an application was made to the Planning Board of the Town of New Windsor for approval of a two lot minor subdivision by Joseph Fumarola (the "applicant");

WHEREAS, the subject site consists of 6.11 acres of land and comprised of one tax map parcel in the Town of New Windsor identified on the tax map as section 55, block 3, and lot 5 (SBL 55-3-5); and

WHEREAS, the action involves a request for a minor subdivision approval; and

WHEREAS, the applicant has submitted a fully executed short form Environmental Assessment Form ("EAF") pursuant to the New York State Environmental Quality Review Act ("SEQRA"); and

WHEREAS, the Planning Board conducted a coordinated SEQRA review for this project; and

WHEREAS, the Planning Board declared its intent to become the Lead Agency with respect to the Proposed Action and circulated a Notice of Intent to be Lead Agency to other involved and interested agencies; and

WHEREAS, having received no objection to the proposed Lead Agency designation within thirty (30) days after circulation of the Notice of Intent, the Planning Board was automatically designated the Lead Agency for environmental review of the Proposed Action; and

WHEREAS, during the course of the Planning Board's review of the Applicant's proposed subdivision plat, the Planning Board received and considered correspondence from the public as well as the Town's consultants; and

WHEREAS, on June 27, 2007 the Town of New Windsor Planning Board waived the discretionary public hearing for the minor subdivision; and

WHEREAS, the application and related materials were submitted to the Orange County Planning Department ("OCDP") for

its review pursuant to the requirements of the General Municipal Law § 239-m, and OCDP responded recommending local determination; and

WHEREAS, the Planning Board has carefully considered all of the comments raised by the public, the Board's consultants, and other interested agencies, organizations and officials, including those presented at numerous meetings of the Board as well as those submitted separately in writing; and

WHEREAS, the applicant has submitted a proposed subdivision plat consisting of 2 sheets, prepared by Daniel P. Yanosh dated January 2, 2007 and last revised on November 20, 2007; and

WHEREAS, the Planning Board has heretofore determined that the Proposed Action minimizes or avoids significant environmental impacts and, adopted a Negative Declaration as part of the approval of the subdivision;

NOW, THEREFORE, the Planning Board finds that the applicant has satisfied the requirements of Town Code § 300-86 and hereby (1) approves the preliminary subdivision plat, (2) waives the discretionary public hearing on the proposed final subdivision plat, and (3) approves the final subdivision plat and authorizes the Chairman to affix his signature to the final plat, including sections of the final plat, for filing with the County Clerk's Office, subject to the following terms and conditions:

1. The applicant shall pay all outstanding fees due the Town in connection with this application;
2. The applicant shall make any required revisions to the subdivision plat to the satisfaction of the Planning Board Engineer and Planning Board Attorney; and
3. The applicant shall secure all necessary permits, approvals and authorizations required from any other agency, if required, including, but not limited to, a Highway Work Permit from the New York State Department of Transportation for the disturbances to New York State Route 207.

AND BE IT FURTHER RESOLVED, that the Planning Board hereby grants all permitted extensions and that this approval authorizing the chairman's signature on the final subdivision plat shall expire on January 10, 2009; no further extensions can be made.

Upon motion made by Member _____, seconded
by Member _____, the foregoing resolution was
adopted as follows:

Member, Daniel Gallagher	Aye	Nay	Abstain	Absent
Member, Howard Brown	Aye	Nay	Abstain	Absent
Member, Neil Schlesinger	Aye	Nay	Abstain	Absent
Member, Henry Vanleeuwen	Aye	Nay	Abstain	Absent
Chairman, Genaro Argenio	Aye	Nay	Abstain	Absent

- - -

Alternate, Henry Schieble	Aye	Nay	Abstain	Absent
---------------------------	-----	-----	---------	--------

Dated: January 16, 2008
New Windsor, New York

Genaro Argenio, Chairman

Filed in the Office of the Town Clerk on this _____ day
of January, 2008.

Deborah Green
Town Clerk

**RESOLUTION ADOPTING A NEGATIVE DECLARATION
FOR A SUBDIVISION**

*2 Lot Subdivision - Lands of Joseph Fumarola
PB #07-17
S-B-L 55-3-5*

WHEREAS, an application was made to the Planning Board of the Town of New Windsor for approval of a two lot minor subdivision by Joseph Fumarola (the "applicant");

WHEREAS, the subject site consists of 6.11 acres of land and comprised of one tax map parcel in the Town of New Windsor identified on the tax map as section 55, block 3, and lot 5 (SBL 55-3-5); and

WHEREAS, the action involves a request for a minor subdivision approval; and

WHEREAS, the applicant has submitted a fully executed short form Environmental Assessment Form ("EAF") pursuant to the New York State Environmental Quality Review Act ("SEQRA"); and

WHEREAS, the Planning Board conducted a coordinated SEQRA review for this project; and

WHEREAS, the Planning Board declared its intent to become the Lead Agency with respect to the Proposed Action and circulated a Notice of Intent to be Lead Agency to other involved and interested agencies; and

WHEREAS, having received no objection to the proposed Lead Agency designation within thirty (30) days after circulation of the Notice of Intent, the Planning Board was automatically designated the Lead Agency for environmental review of the Proposed Action; and

WHEREAS, during the course of the Planning Board's review of the Applicant's proposed subdivision plat, the Planning Board received and considered correspondence from the public as well as the Town's consultants; and

WHEREAS, on June 27, 2007 the Town of New Windsor Planning Board waived the discretionary public hearing for the minor subdivision; and

WHEREAS, the application and related materials were submitted to the Orange County Planning Department ("OCDP") for its review pursuant to the requirements of the General Municipal Law § 239-m, and OCDP responded recommending local determination; and

WHEREAS, the Planning Board has carefully considered all of the comments raised by the public, the Board's consultants, and other interested agencies, organizations and officials, including those presented at numerous meetings of the Board as well as those submitted separately in writing; and

WHEREAS, the applicant has submitted a proposed subdivision plat consisting of 2 sheets, prepared by Daniel P. Yanosh dated January 2, 2007 and last revised on November 20, 2007; and

WHEREAS, the Planning Board has determined that the Proposed Action minimizes or avoids significant environmental impacts and, therefore, the accompanying Negative Declaration is hereby adopted as part of the approval of the subdivision.

NOW, THEREFORE, be it resolved as follows:

1. The Planning Board is lead agency for an uncoordinated review of this action;
2. This is an Unlisted Action for SEQRA purposes;
3. The EAF submitted by the applicant has been fully reviewed and considered by the Planning Board;
4. Having reviewed with due care and diligence the EAF submitted by the applicant, the application herein and all pertinent documentation and testimony received at the public hearing, it is determined that the proposed action will not have, nor does it include, the potential for significant adverse environmental impacts;
5. The Planning Board hereby adopts the SEQRA "Negative Declaration" annexed hereto.

Upon motion made by Member _____, seconded by Member _____, the foregoing resolution was adopted as follows:

Member, Daniel Gallagher	Aye	Nay	Abstain	Absent
Member, Howard Brown	Aye	Nay	Abstain	Absent
Member, Neil Schlesinger	Aye	Nay	Abstain	Absent
Member, Henry Vanleeuwen	Aye	Nay	Abstain	Absent
Chairman, Genaro Argenio	Aye	Nay	Abstain	Absent

- - -

Alternate, Henry Schieble	Aye	Nay	Abstain	Absent
---------------------------	-----	-----	---------	--------

Dated: January 16, 2008
New Windsor, New York

Genaro Argenio, Chairman

Filed in the Office of the Town Clerk on this _____ day
of January, 2008.

Deborah Green
Town Clerk

**TOWN OF NEW WINDSOR PLANNING BOARD
COUNTY OF ORANGE**

NEGATIVE DECLARATION

*Fumarola Two-Lot Minor Subdivision
PB # 7-17
(S-B-L: 55-3-5)*

PLEASE TAKE NOTICE that, according to the provisions of Article 8 of the Environmental Conservation Law and the New York Code of Rules and Regulations Part 617, the Town of New Windsor Planning Board has adopted a Negative Declaration for the project named below. The Planning Board is serving as Lead Agency for this Unlisted Action, for an Uncoordinated review of this Unlisted Action.

Name of Project: Fumarola Two-Lot Minor Subdivision
Action Type: Unlisted Action; Coordinated Review
Location: Town of New Windsor, County of Orange
Location: NYS Route 207
Zoning District: R-1 Rural Residential
Tax Map Parcel: 55-3-5

Summary of Action:

The action involves a request for a two lot minor subdivision approval for the creation of one additional new residential lot in the R-1 Rural Residential District in the Town of New Windsor.

Reasons Supporting the Negative Declaration:

Based on its consideration of the available information, the Planning Board finds there would be no significant adverse environmental effects associated with granting the lot line change.

One new lot will be created by virtue of this minor subdivision. The proposed lot line change is considered to comply with all currently existing zoning requirements and municipal plans for the Town of New Windsor, and is consistent with the community character. The new residential lot will be serviced by individual water and septic. A private driveway will service the lot, adjoining the adjacent existing private drive in order to minimize the number of access points to NYS Route 207. Solid waste generation, energy consumption, and public service demands would not be significant or excessive for this minor subdivision. No other potentially significant harmful environmental impacts are identified.

Date of Adoption of Negative Declaration: January 16, 2007
Agency Address: Town of New Windsor Planning Board
Town Hall – 555 Union Avenue
New Windsor, New York 12553
Tel. (845) 563-4615
Contact Person: Genaro Argenio, Planning Board Chairman

June 27, 2007

28

JOSEPH_FUMAROLA_(07-17)

Mr. Lou Tedaldi and Mrs. Bernadette Fumarola appeared before the board for this proposal.

MR. ARGENIO: Application involves subdivision of the 6.11 acre parcel into two single family residential lots. The plan is reviewed on a concept basis. Can I have your name please for the stenographer?

MS. FUMAROLA: Bernadette Fumarola, I'm here representing Joseph, my son.

MR. ARGENIO: Let's just get our plans. Can you tell us, Mr. Tedaldi, what you want to do here?

MR. TEDALDI: Originally, we had a parcel that we subdivided into five building lots and we had one lot and I don't know what it was but I'm thinking it was like maybe 7 acres and we waited three years for the health department, now we're taking lot 5 and subdividing that.

MR. ARGENIO: This is out way west on 207, correct?

MR. TEDALDI: Yes.

MR. ARGENIO: Near that road that's the back way into Maybrook, Forrester Road.

MRS. FUMAROLA: Opposite the post office.

MR. TEDALDI: Mr. Edsall asked us to get a perc test on the property, we tried for the last couple weeks but it didn't work out but we're getting it done tomorrow.

MR. ARGENIO: Scheduling problems.

MR. TEDALDI: Yes, tomorrow we'll do the percs being witnessed by I think it's Mike Kelly.

MR. EDSALL: Yes.

MR. BABCOCK: Good weather for it.

MR. EDSALL: We're waiting for the weather to be just right.

MR. TEDALDI: There's rock outcropping on I guess the south side and as it comes down and it's kind of a plateau as nature would have it that's all kind of sand and gravel where all the percs are being done.

MR. ARGENIO: Sand and gravel?

MR. TEDALDI: Well, you're in the business, you know that.

MR. ARGENIO: In the west end of the Town of New Windsor?

MR. TEDALDI: So actually that one little area where the edge of the rock outcropping is a lot of times it's all sand and gravel.

MR. ARGENIO: And your lots are 2.6 acres and 3.5?

MRS. FUMAROLA: Yeah, that's about right.

MR. TEDALDI: You asked about the driveway cut, maybe three years ago, four years ago when we had the subdivision we had it designed for two driveways knowing that we're going to try eventually to subdivide lot number 5, so that would be approved or brought before the state DOT at that time, in fact, I think in one of your letters you mentioned that, right, you contacted them and they did not have an issue with it?

MR. EDSALL: Yes, and I think you had talked to them and then it was mentioned to me by Sibby

Zacharia-Carbone (phonetic) from Newburgh, we'll send it formally just so that they can acknowledge this.

MR. ARGENIO: Mike, are you aware of any issues, any setback issues?

MR. BABCOCK: No.

MR. ARGENIO: Any other anomalies associated with this subdivision?

MR. BABCOCK: Not that I know of.

MR. VAN LEEUWEN: It's got to go to county.

MR. ARGENIO: Yeah, there's, unfortunately, as I said earlier in the meeting, there are procedures, laws that we have to follow. I'm not going to mention the perc test because you have them scheduled which that's good. Unless somebody objects, I'll accept a motion we issue lead agency coordination letter.

MR. VAN LEEUWEN: So moved.

MR. SCHLESINGER: Second it.

MR. ARGENIO: Motion has been made and seconded that the Town of New Windsor Planning Board issue a lead agency coordination letter. If there's no further discussion, I'll have a roll call.

ROLL CALL

MR. SCHLESINGER	AYE
MR. BROWN	AYE
MR. GALLAGHER	AYE
MR. VAN LEEUWEN	AYE
MR. ARGENIO	AYE

MR. ARGENIO: Item 4 is the public hearing and again

that's discretionary on our behalf and I'm going to go around the room and ask everybody, looks like we have the state highway in the front, the railroad bed in the back and that's abandoned.

MR. BABCOCK: Actually, there's one driveway that goes down the railroad bed.

MR. TEDALDI: I think it's owned by someone.

MRS. FUMAROLA: Mr. Congelosi and the bear lives there.

MR. ARGENIO: Well, if we have a public hearing he'll have to get notice if he's within 500 feet. Neil and Howard, can I get some feedback from you on the necessity for a public hearing on this application?

MR. SCHLESINGER: I guess same as the last applicant, can't see any major--

MR. VAN LEEUWEN: Make a motion we waive public hearing.

MR. ARGENIO: Danny?

MR. GALLAGHER: I agree.

MR. ARGENIO: We're out in the woods, the lot is fairly sizable, it's a 3 1/2 acre lot so I don't see any issue. I'll have a motion to that effect.

MR. VAN LEEUWEN: So moved.

MR. BROWN: Second it.

MR. ARGENIO: Motion has been made and seconded that the Town of New Windsor Planning Board waive the public hearing on the Fumarola minor subdivision. If there's no further discussion from the board members, roll call.

June 27, 2007

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ROLL CALL

MR. SCHLESINGER AYE
MR. BROWN AYE
MR. GALLAGHER AYE
MR. VAN LEEUWEN AYE
MR. ARGENIO AYE

MR. ARGENIO: Mr. Tedaldi, your property is within 500 feet of the state road which requires by law that this plan is submitted to the County of Orange for review.

MR. EDSALL: Planning Department, not Health Department.

MR. ARGENIO: County of Orange Planning Department, Myra can help you with where you send it if you contact her and there's really nothing else we can do with this tonight. That's it.

MR. TEDALDI: So we go--

MR. ARGENIO: You have to go to DOT. Did you do that?

MR. EDSALL: I'll refer it to both DOT and County Planning with Myra, we'll take care of that.

MR. TEDALDI: Thanks again.

REGULAR ITEMS:

JOSEPH_FUMAROLA_(07-17)

MR. ARGENIO: Regular items, Joseph Fumarola minor subdivision. This application involves subdivision of the 6.11 acre parcel into two single family residential lots. The plan was previously reviewed at the 27 June, 2007 planning board meeting. What's your name, sir?

MR. FUMAROLA: Joseph Fumarola.

MR. ARGENIO: What do you have for us? I'm going to read a few things here. Lead agency coordination letter sent out 9/11 of '07. I'm going to skip Orange County Planning. Preliminary public hearing is waived 6/27 of '07, field testing for the sanitary disposal system witnessed by Edsall's office, results are consistent with New York State Department of Health standards. SWPPP not required, less than five acre disturbance. Planning board issued lead agency coordination letter 9/11, '07, 30 days has expired. I'll accept a motion we take lead agency under SEQRA.

MR. SCHLESINGER: So moved.

MR. BROWN: Second it.

MR. ARGENIO: Motion has been made and seconded that the Town of New Windsor Planning Board declare itself lead agency for the Fumarola minor subdivision. Roll call.

ROLL CALL

MR. SCHLESINGER	AYE
MR. BROWN	AYE
MR. GALLAGHER	AYE
MR. SCHEIBLE	AYE
MR. ARGENIO	AYE

MR. ARGENIO: Seems pretty insignificant to me, if anybody agrees with me, I'll accept a motion that we declare a negative dec under the SEQRA process.

MR. SCHLESINGER: So moved.

MR. SCHEIBLE: Second it.

MR. ARGENIO: Motion has been made and seconded that the Town of New Windsor Planning Board declare a negative dec as it relates to the Fumarola minor subdivision. No further discussion, roll call.

ROLL CALL

MR. SCHLESINGER	AYE
MR. BROWN	AYE
MR. GALLAGHER	AYE
MR. SCHEIBLE	AYE
MR. ARGENIO	AYE

MR. ARGENIO: Plans are substantially the same as those considered at preliminary final approval. As such, I recommend that the board waive the final public hearing as per their discretionary judgment under Section 274, that's Mark's comment number 4. If anybody agrees, I'll accept a motion to that effect.

MR. GALLAGHER: So moved.

MR. SCHEIBLE: Second it.

MR. ARGENIO: Motion has been made and seconded that the Town of New Windsor Planning Board waive the final public hearing per our discretionary judgment for the Fumarola subdivision. Roll call.

ROLL CALL

MR. SCHLESINGER AYE
MR. BROWN AYE
MR. GALLAGHER AYE
MR. SCHEIBLE AYE
MR. ARGENIO AYE

MR. CORDISCO: I have prepared drafts of those resolutions, they'll be provided to you within the next few days.

MR. ARGENIO: What road are you on, 207?

MR. FUMAROLA: 207.

MR. ARGENIO: You have access, right?

MR. FUMAROLA: Yes.

MR. ARGENIO: New York State Department of Transportation consents to the Town of New Windsor Planning Board to be lead agency for subject project, driveway's conceptually approved, should get a work permit, you'll need a work permit to do this, I don't know.

MR. EDSALL: Just for the record, the application was received to the County Planning Department and we did receive comments back.

MR. ARGENIO: Says local determination.

MR. EDSALL: I just want the record to be clear why one item we're not having them change the plan it's because that it's already doing what they're asking us to do, they wanted the driveways to come out at a single access point to minimize the number of curb cuts to Route 207 and in fact, we didn't make them overlap which would constitute a private road, we made them come out immediately adjacent to, it would be one paved apron on the state highway so we don't need to have

them change the plan.

MR. FUMAROLA: I already have that done.

MR. EDSALL: DOT's already approved it.

MR. SCHLESINGER: You can't have the lot line in the middle of the driveway.

MR. BABCOCK: Well, the driveway was paved for the existing two story house and it was made actually too big so they went--

MR. EDSALL: They're going to have to actually push the driveway over enough so when the final plan comes in we don't necessarily--

MR. FUMAROLA: Yes, the existing driveway is there.

MR. EDSALL: They need to widen it.

MR. FUMAROLA: It's just got to go four more feet to the right. We put a really large culvert to control the water flow originally so we made the driveway go over it cause there was a lot of water coming down, there's the big bend with the hill so there's a lot of water coming down that.

MR. BABCOCK: You're the owner of lot 1 also?

MR. FUMAROLA: I live right here so the water comes down off this hill here.

MR. BABCOCK: Applicant owns the lots.

MR. FUMAROLA: We put a large culvert pipe and to cover it we made it wider at one point it was only one lot.

MR. BABCOCK: Right now your driveway's partially on that lot.

MR. FUMAROLA: I have to make it wider.

MR. EDSALL: Or they'd have to grant them a four foot easement looks like so--

MR. FUMAROLA: It's on the proposal that the driveway's moved over, shows it.

MR. ARGENIO: I don't see anything else, I'd like to push this over the wire, I'll accept a motion for final if somebody agrees.

MR. SCHLESINGER: Motion for final approval.

MR. SCHEIBLE: Second it.

MR. ARGENIO: Motion has been made and seconded that the Town of New Windsor Planning Board grant final approval for Fumarola minor subdivision subject to you obtain the highway work permit for the DOT which you have to do anyway, otherwise, they'll shut you down and that all the fees be paid prior to the stamp of approval. Roll call.

ROLL CALL

MR. SCHLESINGER	AYE
MR. BROWN	AYE
MR. GALLAGHER	AYE
MR. SCHEIBLE	AYE
MR. ARGENIO	AYE



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. MCGOEY, P.E. (NY & PA)

WILLIAM J. HAUSER, P.E. (NY & NJ)

MARK J. EDSALL, P.E. (NY, NJ & PA)

JAMES M. FARR, P.E. (NY & PA)

MAIN OFFICE

33 AIRPORT CENTER DRIVE

SUITE 202

NEW WINDSOR, NEW YORK 12553

(845) 567-3100

FAX: (845) 567-3232

E-MAIL: MHENY@MHEPC.COM

WRITER'S E-MAIL ADDRESS:

MJE@MHEPC.COM

TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS

PROJECT NAME: FUMAROLA MINOR SUBDIVISION
PROJECT LOCATION: NYS ROUTE 207
SECTION 55 – BLOCK 3 – LOT 5
PROJECT NUMBER: 07-17
DATE: 16 JANUARY 2008
DESCRIPTION: THE APPLICATION INVOLVES THE SUBDIVISION OF THE 6.11
ACRE PARCEL INTO TWO (2) SINGLE-FAMILY RESIDENTIAL LOTS.
THE PLAN WAS PREVIOUSLY REVIEWED AT THE 27 JUNE 2007
PLANNING BOARD MEETING.

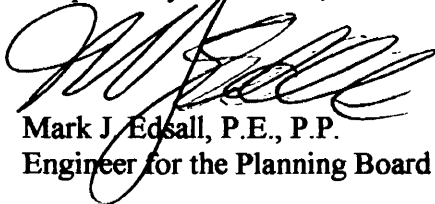
1. The plans have been revised to address our previous review comments. Note the following status regarding the application:
 - **SEORA** – Lead Agency Coordination letter issued 9-11-07.
 - **Orange County Planning Referral (GML 239)** – Referral made on 9-11-07. Project was returned “Local Determination” with one comment (which I can discuss).
 - **NYS Department of Transportation Referral** – Referral made 9-11-07. Project was returned with conceptual approval, noting need for permit.
 - **Preliminary Public Hearing** – Waived on 6-27-07
 - **Sanitary Disposal System (Lot #2)** – Field testing witnessed by our office. Design on plan consistent with NYSDOH standards.
 - **SWPPP** – not required; less than 5 Acres disturbance.

REGIONAL OFFICES

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- 540 BROADWAY • MONTICELLO, NEW YORK 12701 • 845-794-3399 •

2. The Planning Board issued a Lead Agency coordination letter on 09-11-07. The Board may wish to formally assume the position of lead agency under the SEQRA review process at this time.
3. The Planning Board may wish to classify this action as an "unlisted action" under SEQRA, and consider a "negative declaration" of environmental significance, based on the information presented and reviewed.
4. The plans are substantially the same as those considered at Preliminary. As such, I recommend that the Board waive the Final Public Hearing, as per their discretionary judgement under Section 257-14 (B)(2) of the Town Code.
5. If the Board deems it appropriate to grant conditional preliminary and final approval, I recommend the following conditions, in addition to those outlined by the Planning Board:
 - That the applicant must obtain a Highway Work Permit before any work is performed.
 - That all fees be paid prior to stamp of approval (inspection fees must be paid prior to start of any construction work).

Respectfully Submitted,



Mark J. Edsall, P.E., P.P.
Engineer for the Planning Board

MJE/st
NW07-17-16Jan08.doc



PROJECT: Fumarole P.B. # 07-17

NEGATIVE DEC:

M~~och~~S)S~~he~~ VOTE: A 5 N 0
CARRIED: Y ✓ N

PUBLIC HEARING: **WAIVED:** ✓ **CLOSED:** **FINAL:**

SEND TO DEPT. OF TRANS: Y___ REFER TO Z.B.A.: M)___ S)___ VOTE: A___ N___

CONCEPTUAL: _____ PRELIMINARY: _____ COND. FINAL: ☒ FINAL: _____

NEED NEW PLANS: Y N

Dominic to prepare resolutions

Yes

MEETING DATE: January 16, 2008

MEETING DATE: January 16, 2008

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 01/16/2008

PAGE: 1

LISTING OF PLANNING BOARD **AGENCY APPROVALS**

FOR PROJECT NUMBER: 7-17

NAME: JOSEPH FUMAROLA
APPLICANT: JOSEPH FUMAROLA

	DATE-SENT	AGENCY-----	DATE-RECD	RESPONSE-----
REV1	11/17/2007	MUNICIPAL HIGHWAY	/ /	
REV1	11/17/2007	MUNICIPAL WATER	/ /	
REV1	11/17/2007	MUNICIPAL SEWER	/ /	
REV1	11/17/2007	MUNICIPAL FIRE	/ /	
REV1	11/17/2007	NYS DOT	10/03/2007	CONCEPTUALLY APPR
REV1	11/17/2007	OC PLANNING	09/12/2007	LOCAL DET.
		. SEE REVIEW SHEET IN FILE FOR RECOMMENDATION		

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 01/16/2008

PAGE: 1

LISTING OF PLANNING BOARD ACTIONS

STAGE:

STATUS [Open, Withd]
O [Disap, Appr]

FOR PROJECT NUMBER: 7-17

NAME: JOSEPH FUMAROLA

APPLICANT: JOSEPH FUMAROLA

--DATE-- MEETING-PURPOSE-----ACTION-TAKEN-----

06/27/2007 P.B. APPEARANCE LA COOR LTR. WVE PH
. WAIVED PH; SEND LA COORD LETTER; SEND TO OC PLANNING DOT
. PERCS TO BE WITNESSED BY MARK'S OFFICE

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 01/16/2008

PAGE: 1

LISTING OF PLANNING BOARD SEQRA ACTIONS

FOR PROJECT NUMBER: 7-17

NAME: JOSEPH FUMAROLA

APPLICANT: JOSEPH FUMAROLA

	DATE-SENT	ACTION-----	DATE-RECD	RESPONSE-----
ORIG	06/08/2007	EAF SUBMITTED	06/08/2007	WITH APPLIC
ORIG	06/08/2007	CIRCULATE TO INVOLVED AGENCIES	06/27/2007	SEND LA LETR
ORIG	06/08/2007	LEAD AGENCY DECLARED	/ /	
ORIG	06/08/2007	DECLARATION (POS/NEG)	/ /	
ORIG	06/08/2007	SCHEDULE PUBLIC HEARING	/ /	
ORIG	06/08/2007	PUBLIC HEARING HELD	/ /	
ORIG	06/08/2007	WAIVE PUBLIC HEARING	06/27/2007	WAIVED PH
ORIG	06/08/2007	FINAL PUBLIC HEARING	/ /	
ORIG	06/08/2007	PRELIMINARY APPROVAL	/ /	
ORIG	06/08/2007	LEAD AGENCY LETTER SENT	/ /	



17
P.B. 07-~~17~~
cc: M.E.
D.C.

STATE OF NEW YORK
DEPARTMENT OF TRANSPORTATION
REGION EIGHT
4 BURNETT BOULEVARD
POUGHKEEPSIE, NEW YORK 12603
www.nysdot.gov

JOAN DUPONT, P.E.
REGIONAL DIRECTOR

ASTRID C. GLYNN
COMMISSIONER

October 3, 2007

Mr. Mark Edsall P.E., P.P.
Planning Board Engineer
Town of New Windsor
555 Union Avenue
New Windsor, NY 12553

Re: **NYSDOT SEQRA # 07-0166**
Fumarola Minor Subdivision
Route 207
New Windsor, Orange County

Dear Mr. Edsall:

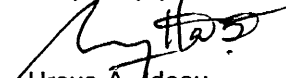
The New York State Department of Transportation consents to the Town of New Windsor Planning Board to be the Lead Agency for the subject project.

The proposed subject driveway is conceptually approved. The applicant should be advised to submit a detailed plan for Highway Work Permit application process to:

Siby Zachariah-Carbone, Permit Engineer
112 Dickson Street
Newburgh, NY 12550
(845) 562-8368

Thank you for your interest in highway safety.

Very truly yours,


Ursus A. Idosu
HWP / SEQRA Unit

cc: S. M. Zacariah-Carbone, Permit Engineer, Res 8-4



COUNTY OF ORANGE

EDWARD A. DIANA
COUNTY EXECUTIVE

DEPARTMENT OF PLANNING

124 MAIN STREET
GOSHEN, NEW YORK 10924-2124
TEL: (845)291-2318 FAX: (845)291-2533
www.orangecountygov.com/planning

DAVID CHURCH, A.I.C.P.
COMMISSIONER

ORANGE COUNTY DEPARTMENT OF PLANNING
239 L, M OR N REPORT

This proposed action is being reviewed as an aid in coordinating such action between and among governmental agencies by bringing pertinent inter-community and countywide considerations to the attention of the municipal agency having jurisdiction.

Referred by: *Town of New Windsor*
Applicant: *Joseph Fumarola*
Proposed Action: *Subdivision*
Reason for Review: *Within 500 Ft of NYS RT 207*
Date of Full Statement: *September 12, 2007*


Reference/County ID No.: *NWT35-07M*
County Tax ID: *S: 55 B: 3 L: 5*

Comments: The Department has received the above two lot residential subdivision and has found no evidence that intermunicipal or countywide impacts would result from its approval. We offer the following comments for your consideration:

1. The proposed residential subdivision appears to be consistent with the County Comprehensive Plan and local laws.
2. The County recommends exploring the option of amending the current site plan so that the two proposed private driveways share a single access point at the curb cut. This would reduce the number of potential conflict points along NYS RT 207. Minimizing the number of conflict points on through roads with high speed limits make the transportation network safer and more efficient. The County can provide language pertaining to a shared access agreement if necessary.
3. Having no further comments, from a County perspective, the department recommends that the Planning Board proceed with its review process.

County Recommendation: Local Determination

Date: September 12, 2007
Prepared by: Todd Cohen


David Church, AICP
Commissioner of Planning

IMPORTANT NOTE: As per NYS General Municipal Law 239-m(6), within 30 days of municipal final action on the above referred project, the referring board must file a report of the final action taken with the County Planning Department. For such filing, please use the final action report form attached to this review or available on-line at www.orangecountygov.com/planning.



REPORT OF FINAL LOCAL ACTION

To: Orange County Department of Planning
124 Main Street
Goshen, NY 10924

From: Town of New Windsor Planning Board

Date:

Subject: GML 239 Referral ID# NWT³⁴~~05~~-07M

Name of project: North Plank Development LLC – site plan amendment

As stated in Section 239 of the General Municipal Law of the State of New York State, within thirty days of taking final action in regard to a required referral to the Orange County Planning Department, the local referring agency shall file a report as to the final action taken. In regard to the proposed action described above, the following final action was taken:

_____ Our local board **approved** this action on _____.

_____ Our local board **approved** this action **with modifications** on _____.
Briefly, the modifications consisted of:

_____ Our local board **disapproved** this action on _____.
Briefly, the reasons for disapproving this action were:

_____ The proposal was **withdrawn**.

Additional space for comments on actions:



RESULTS OF P.B. MEETING OF: June 27, 2007

PROJECT: Fumarola Subdivision P.B. # 07-17

LEAD AGENCY:

AUTHORIZE COORD. LETTER: Y ☒ N ☐

TAKE LEAD AGENCY: Y N

NEGATIVE DEC:

M) _____ S) _____ VOTE: A _____ N _____

CARRIED: Y N

M) ✓ S) Schles VOTE: A 5 N 0

CARRIED: Y ☒ N

PUBLIC HEARING: **WAIVED:** ☒ **CLOSED:** **FINAL:**

M) V S) Br VOTE: A 5 N 0 SCHEDULE P.H.: Y N ✓

SEND TO O.C. PLANNING: Y ☒ RETURN TO WORK SHOP: Y N

SEND TO DEPT. OF TRANS: Y ☒ REFER TO Z.B.A.: M) ☐ S) ☐ VOTE: A ☐ N ☐

APPROVAL:

CONCEPTUAL: _____ **PRELIMINARY:** _____ **COND. FINAL:** _____ **FINAL** _____

M) S) VOTE: A N APPROVED:

NEED NEW PLANS: Y N

CONDITIONS – NOTES:

Perss to be witnessed by Mark's office on 6/28/07

MEETING DATE: June 27, 2007

June 27, 2007



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E. (NY & PA)

WILLIAM J. HAUSER, P.E. (NY & NJ)

MARK J. EDSALL, P.E. (NY, NJ & PA)

JAMES M. FARR, P.E. (NY & PA)

MAIN OFFICE
33 AIRPORT CENTER DRIVE
SUITE 202
NEW WINDSOR, NEW YORK 12553

(845) 567-3100
FAX: (845) 567-3232
E-MAIL: MHENY@MHEPC.COM

WRITER'S E-MAIL ADDRESS:
MJE@MHEPC.COM

TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS

PROJECT NAME: FUMAROLA MINOR SUBDIVISION
PROJECT LOCATION: NYS ROUTE 207
SECTION 55 – BLOCK 3 – LOT 5
PROJECT NUMBER: 07-17
DATE: 13 JUNE 2007
DESCRIPTION: THE APPLICATION INVOLVES THE SUBDIVISION OF THE 6.11
ACRE PARCEL INTO TWO (2) SINGLE-FAMILY RESIDENTIAL LOTS.
THE PLAN WAS REVIEWED ON A CONCEPT BASIS ONLY.

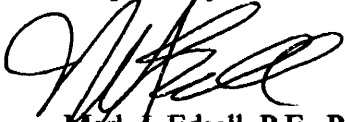
1. The project is located in the R-1 zoning district of the Town. The bulk information on the plan is correct for the zone and use, with each lot easily meeting the minimum requirements. The zoning table should be expanded to include minimum livable area (1200 s.f.).
2. The applicant is advised that all soil tests (minimum two percolation and one deep tests), in support of the sanitary disposal system designs, must be witnessed by a representative of our office.
3. The Planning Board may wish to authorize the issuance of a Lead Agency Coordination letter for the project, to begin the SEQRA review process. The applicant should submit eight (8) sets of drawings (folded) and the environmental form for this purpose.
4. The Planning Board should determine if a Public Hearing will be necessary for this minor subdivision, or if same can be waived per Section 257-13 (A) of the Subdivision Regulations.
5. This project is adjacent to NYS Route 207 and, as such, must be referred to the Orange County Planning Department as per New York State General Municipal Law (GML 239).

REGIONAL OFFICES

- 111 WHEATFIELD DRIVE – SUITE ONE • MILFORD, PENNSYLVANIA 18337 • 570-296-2765 •
• 540 BROADWAY • MONTICELLO, NEW YORK 12701 • 845-794-3399 •

6. Submittal of this application/plan to the NYSDOT, NYSDEC, OCDOH, OCDPW, will be necessary. Our office will prepare the referral form and coordinate with the Planning Board office.
7. The application involves single-family development with disturbance less than a total of five acres; as such a full SWPPP is not required. The plans should include soil erosion and sedimentation prevention measures. A plan view of the provisions, and appropriate details should be provided as part of the subdivision plan submittal.

Respectfully Submitted,



Mark J. Edsall, P.E., P.P.
Engineer for the Planning Board

MJE/st
NW07-17-13June07.doc

Town of New Windsor

555 Union Avenue
New Windsor, NY 12553
(845) 563-4611

RECEIPT
#192-2008

04/07/2008

Rye Hill Estates Corp.

Received \$ 210.00 for Planning Board Fees, on 04/07/2008. Thank you for stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Deborah Green
Town Clerk

Town of New Windsor
555 Union Avenue
New Windsor, NY 12553
(845) 563-4611

RECEIPT
#446-2007

06/13/2007

Rye Hill Estates Corp. *PB #07-17*

Received \$ 75.00 for Planning Board Fees, on 06/13/2007. Thank you for stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Deborah Green
Town Clerk

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 06/13/2007

PAGE: 1

LISTING OF PLANNING BOARD **FEES**
ESCROW

FOR PROJECT NUMBER: 7-17
NAME: JOSEPH FUMAROLA
APPLICANT: JOSEPH FUMAROLA

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
06/08/2007	REC. CK. #3390	PAID		400.00	
			-----	-----	-----
		TOTAL:	0.00	400.00	-400.00

fy 6-13-07

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553
Telephone: (845) 563-4615
Fax: (845) 563-4695

PLANNING BOARD APPLICATION

TYPE OF APPLICATION (check appropriate item):

Subdivision ☒ Lot Line Change _____ Site Plan _____ Special Permit _____

Tax Map Designation: Sec. 55 Block 3 Lot 5

BUILDING DEPARTMENT PERMIT NUMBER PA - _____

1. Name of Project 2 LOT SUBDIVISION - LANDS OF JOSEPH FUMAROLA

2. Owner of Record JOSEPH FUMAROLA Phone 496-3618

Address: #1 SOUTH STREET WASHINGTONVILLE NY 10992
(Street Name & Number) (Post Office) (State) (Zip)

3. Name of Applicant SAME Phone _____

Address: _____
(Street Name & Number) (Post Office) (State) (Zip)

4. Person Preparing Plan DANIEL P. YAMOSHAKS Phone 361-4700

Address: P.O. Box 320 CIRCLEVILLE NY 10919
(Street Name & Number) (Post Office) (State) (Zip)

5. Attorney NONE Phone _____

Address: _____
(Street Name & Number) (Post Office) (State) (Zip)

6. Person to be notified to appear at Planning Board meeting:

DANIEL P. YAMOSHAKS 361-4700 361-4722
(Name) (Phone) (fax)

7. Project Location: On the SOUTH side of N.Y.S. ROUTE 207
(Direction) (Street)

8. Project Data: Acreage 6.11 Zone R-1 School Dist. WASHINGTONVILLE

PAGE 1 OF 2

(PLEASE DO NOT COPY 1 & 2 AS ONE PAGE TWO-SIDED)

ENTERED JUN 6 2007

07-17

9. Is this property within Agricultural District containing a farm operation or within 500 feet of a farm operation located in an Agricultural District? Yes _____ No X

*This information can be verified in the Assessor's Office.

*If you answer yes to question 9, please complete the attached Agricultural Data Statement.

10. Detailed description of Project: (Use, Size, Number of Lots, etc.) 2 LOT RESIDENTIAL
SUBDIVISION, LOT #1 2.85 ACRES, LOT #2 3.26 ACRES

11. Has the Zoning Board of Appeals Granted any Variances for this property? yes _____ no X

12. Has a Special Permit previously been granted for this property? yes _____ no X

IF THIS APPLICATION IS SIGNED BY ANYONE OTHER THAN THE PROPERTY OWNER, A SEPARATE NOTARIZED STATEMENT OR PROXY STATEMENT FROM THE OWNER MUST BE SUBMITTED, AT THE TIME OF APPLICATION, AUTHORIZING THIS APPLICATION.

STATE OF NEW YORK)

SS.:

COUNTY OF ORANGE)

THE UNDERSIGNED APPLICANT, BEING DULY SWORN, DEPOSES AND STATES THAT THE INFORMATION, STATEMENTS AND REPRESENTATIONS CONTAINED IN THIS APPLICATION AND SUPPORTING DOCUMENTS AND DRAWINGS ARE TRUE AND ACCURATE TO THE BEST OF HIS/HER KNOWLEDGE AND/OR BELIEF. THE APPLICANT FURTHER ACKNOWLEDGES RESPONSIBILITY TO THE TOWN FOR ALL FEES AND COSTS ASSOCIATED WITH THE REVIEW OF THIS APPLICATION.

SWORN BEFORE ME THIS:

22 DAY OF January 2007

(OWNER'S SIGNATURE)

(AGENT'S SIGNATURE)

Virginia Chorny Please Print Agent's Name as Signed
Notary Public State of N.Y.
Qualified Orange County
No. 01CH6012019
NOTARY PUBLIC My Commission Expires 8/17/10

TOWN USE ONLY:

ENTERED JUN 6 2007

DATE APPLICATION RECEIVED

07-17

APPLICATION NUMBER

AGENT/OWNER PROXY STATEMENT
(for professional representation)

for submittal to the:
TOWN OF NEW WINDSOR PLANNING BOARD

JOSEPA FUMAROLA, deposes and says that he resides
(OWNER)

at #1 SOUTH STREET, WASHINGTONVILLE in the County of Orange
(OWNER'S ADDRESS)

and State of NEW YORK and that he is the owner of property tax map

(Sec. 55 Block 3 Lot 5)
designation number (Sec. _____ Block _____ Lot _____) which is the premises described in
the foregoing application and that he designates:

DANIEL P. YAMSA L.L.S. PO BOX 320, CIRCLEVILLE NY 10919
(Agent Name & Address)

(Name & Address of Professional Representative of Owner and/or Agent)

as his agent to make the attached application.

**THIS DESIGNATION SHALL BE EFFECTIVE UNTIL WITHDRAWN BY THE OWNER OR
UNTIL TWO (2) YEARS FROM THE DATE AGREED TO, WHICH EVER IS SOONER.**

SWORN BEFORE ME THIS:

[Signature]
Owner's Signature (MUST BE NOTARIZED)

22 DAY OF January 2007

Agent's Signature (If Applicable)

Virginia Chorny
Notary Public State of N.Y.
Qualified Orange County
No. 01CH6012019

My Commission Expires 8/17/10

[Signature]
NOTARY PUBLIC

Professional Representative's Signature

**** PLEASE NOTE: ONLY OWNER'S SIGNATURE MUST BE NOTARIZED.**

THIS PROXY SHALL BE VOID TWO (2) YEARS AFTER AGREED TO BY THE OWNER

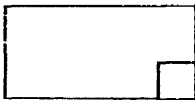
ENTERED JUN 6 2007

07-17

**TOWN OF NEW WINDSOR PLANNING BOARD
SUBDIVISION/LOT LINE CHANGE CHECKLIST**

The following checklist items shall be incorporated on the Subdivision Plan prior to consideration for being placed on the Planning Board Agenda:

1. ✓ Name and address of Applicant.
- * 2. ✓ Name and address of Owner.
3. ✓ Subdivision name and location
4. ✓ **Provide 4" wide X 2" high box (IN THE LOWEST RIGHT CORNER OF THE PLAN) for use by Planning Board in affixing Stamp of Approval. (ON ALL PAGES OF SUBDIVISION PLAN)**

SAMPLE: 
5. ✓ Tax Map Data (Section, Block & Lot).
6. ✓ Location Map at a scale of 1" = 2,000 ft.
7. ✓ Zoning table showing what is required in the particular zone and what applicant is proposing.
8. ✓ Show zoning boundary if any portion of proposed subdivision is within or adjacent to a different zone.
9. ✓ Date of plat preparation and/or date of any plat revisions.
10. ✓ Scale the plat is drawn to and North arrow.
11. ✓ Designation (in title) if submitted as sketch plan, preliminary plan or final plan.
12. ✓ Surveyor's certificate.
13. ✓ Surveyor's seal and signature.
14. ✓ Name of adjoining owners.
15. ✓ Wetlands and 100 foot buffer zone with an appropriate note regarding DEC requirements.
- * 16. ✓ Flood land boundaries.
17. ✓ A note stating that the septic system for each lot is to be designed by a licensed professional before a building permit can be issued.

18. X Final metes and bounds.
19. X Name and width of adjacent streets; the road boundary is to be a minimum of 25 ft. from the physical center line of the street.
20. Y Include existing or proposed easements.
21. Y Right-of-way widths.
22. MIA Road profile and typical section (minimum traveled surface, excluding shoulders, is to be 16 ft. wide).
23. Y Lot area (in square feet for each lot less than 2 acres).
24. Y Number the lots including residual lot.
25. Y Show any existing waterways.
- *26. MIA A note stating a road (or any other type) maintenance agreement is to be filed in the Town Clerk's Office and County Clerk's Office.
27. X Applicable note pertaining to owner's review and concurrence with plat together with owners signature.
28. X Show any existing or proposed improvements, i.e., drainage systems, water lines, sewer lines, etc. (including location, size and depths).
29. X Show all existing houses, accessory structures, existing wells and septic systems within 200 ft. of the parcel to be subdivided.
30. X Show all and proposed on-site A septic system and well locations; with percolation and deep test locations and information, including date of test and name of professional who performed test.
31. Y Provide A septic system design notes as required by the Town of New Windsor.
32. X Show existing grade by contour (2 ft. interval preferred) and indicate source of contour data.
33. 0 Indicate percentage and direction of grade.
34. Y Indicate any reference to previous, i.e., file map date, file map number and previous lot number.
35. MIA Indicate location of street or area lighting (if required).

REFERRING TO QUESTION 9 ON THE APPLICATION FORM, IS THIS PROPERTY WITHIN AN AGRICULTURAL DISTRICT CONTAINING A FARM OPERATION OR WITHIN 500 FEET OF A FARM OPERATION LOCATED IN AN AGRICULTURAL DISTRICT, PLEASE NOTE THE FOLLOWING:

36. _____ Referral to Orange County Planning Dept. is required for all applicants filing AD Statement.
37. _____ A disclosure Statement, in the form set below, must be inscribed on all subdivision maps prior to the affixing of a stamp of approval, whether or not the Planning Board specifically requires such a statement as a condition of approval.

Prior to the sale, lease, purchase, or exchange of property on this site which is wholly or partially within or immediately adjacent to or within 500 feet of a farm operation, the purchaser or leasor shall be notified of such farm operation with a copy of the following notification.

It is the policy of this State and this community to conserve, protect and encourage the development and improvement of agricultural land for the production of food, and other products, and also for its natural and ecological value. This notice is to inform prospective residents that the property they are about to acquire lies partially or wholly within an agricultural district or within 500 feet of such a district and that farming activities occur within the district. Such farming activities may include, but not be limited to, activities that cause noise, dust and odors.

This list is provided as a guide only and is for the convenience of the Applicant. The Town of New Windsor Planning Board may require additional notes or revisions prior to granting approval.

PREPARER'S ACKNOWLEDGMENT:

THE PLAT FOR THE PROPOSED SUBDIVISION HAS BEEN PREPARED IN ACCORDANCE WITH THIS CHECKLIST AND THE TOWN OF NEW WINDSOR ORDINANCES, TO THE BEST OF MY KNOWLEDGE.

BY: _____

Licensed Professional

1/11/07
Date

⌘ ⌘ ⌘ ⌘ ⌘ ⌘

PLEASE NOTE:

⌘ ⌘ ⌘ ⌘ ⌘ ⌘

THE APPLICANT OR THEIR REPRESENTATIVE IS RESPONSIBLE TO KEEP TRACK OF ALL EXPIRATION DATES FOR ANY AND ALL APPROVALS GRANTED TO A PROJECT. EXTENSIONS MUST BE APPLIED FOR PRIOR TO EXPIRATION DATE.

PROJECT I.D. NUMBER

617.21

SEQR

Appendix C

State Environmental Quality Review

SHORT ENVIRONMENTAL ASSESSMENT FORM

For UNLISTED ACTIONS Only

PART I—PROJECT INFORMATION (To be completed by Applicant or Project sponsor)

1. APPLICANT / SPONSOR <u>JOSEPH FUMAROLA</u>	2. PROJECT NAME <u>2 LOT SUBDIVISION</u> <u>LANDS OF JOSEPH FUMAROLA</u>
3. PROJECT LOCATION: Municipality <u>TOWN OF NEW WINDSOR</u> County <u>ORANGE</u>	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) <u>SOUTH SIDE OF HIGH ROUTE 207, 1,400 FT WEST OF</u> <u>JAMES WICKHAM RUN</u>	
5. IS PROPOSED ACTION: <input checked="" type="checkbox"/> New <input type="checkbox"/> Expansion <input type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: <u>2 LOT RESIDENTIAL SUBDIVISION</u>	
7. AMOUNT OF LAND AFFECTED: Initially <u>6.11</u> acres Ultimately <u>6.11</u> acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If No, describe briefly	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open space <input type="checkbox"/> Other Describe:	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list agency(s) and permit/approvals	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list agency name and permit/approval	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE	
Applicant/sponsor name: <u>DANIEL P. FUMAROLA C.C.S.</u> Date: <u>1/11/07</u>	
Signature: <u>[Signature]</u>	

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

OVER

1

ENTERED JUN 6 2007

07-17

PART II—ENVIRONMENTAL ASSESSMENT (To be completed by Agency)

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.12? <input type="checkbox"/> Yes <input type="checkbox"/> No		If yes, coordinate the review process and use the FULL EAF.
B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? <input type="checkbox"/> Yes <input type="checkbox"/> No		If No, a negative declaration may be superseded by another involved agency.
C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)		
C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:		
C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:		
C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:		
C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:		
C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:		
C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly:		
C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly:		
D. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, explain briefly		

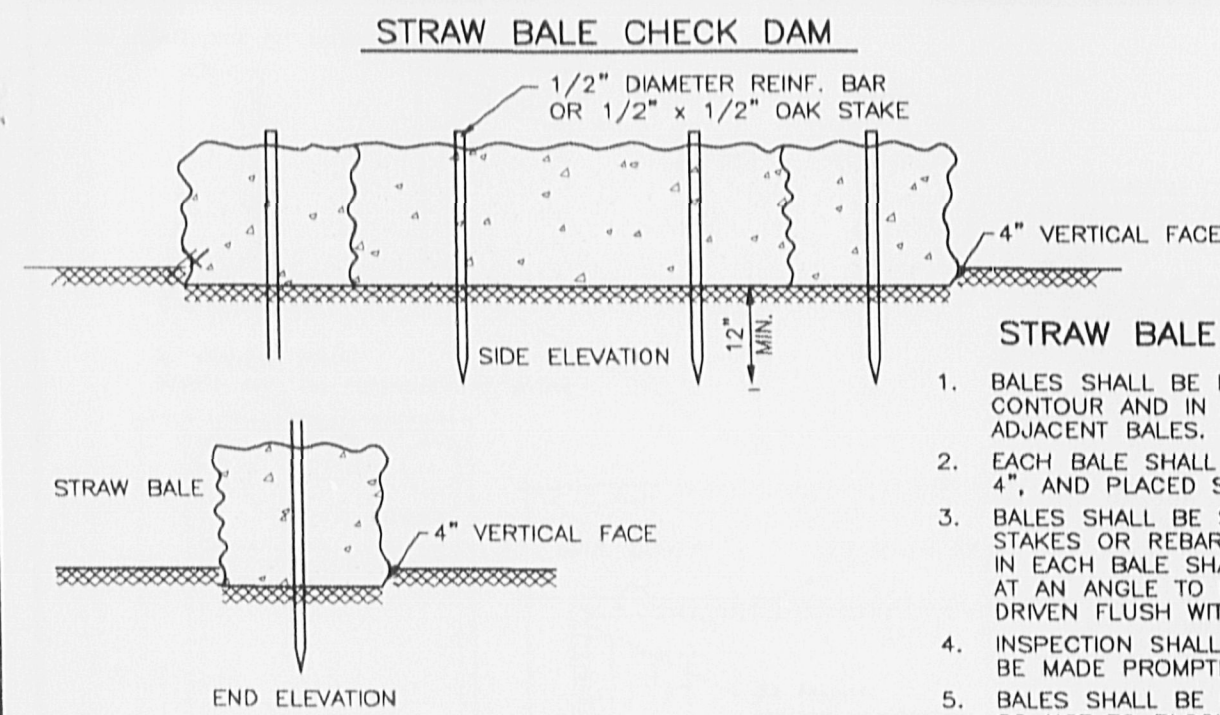
PART III—DETERMINATION OF SIGNIFICANCE (To be completed by Agency)

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed.

<input type="checkbox"/> Check this box if you have identified one or more potentially large or significant adverse impacts which MAY occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.	
<input type="checkbox"/> Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action WILL NOT result in any significant adverse environmental impacts AND provide on attachments as necessary, the reasons supporting this determination:	

Name of Lead Agency	
_____	_____
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
_____	_____
Signature of Responsible Officer in Lead Agency	Signature of Preparer (If different from responsible officer)

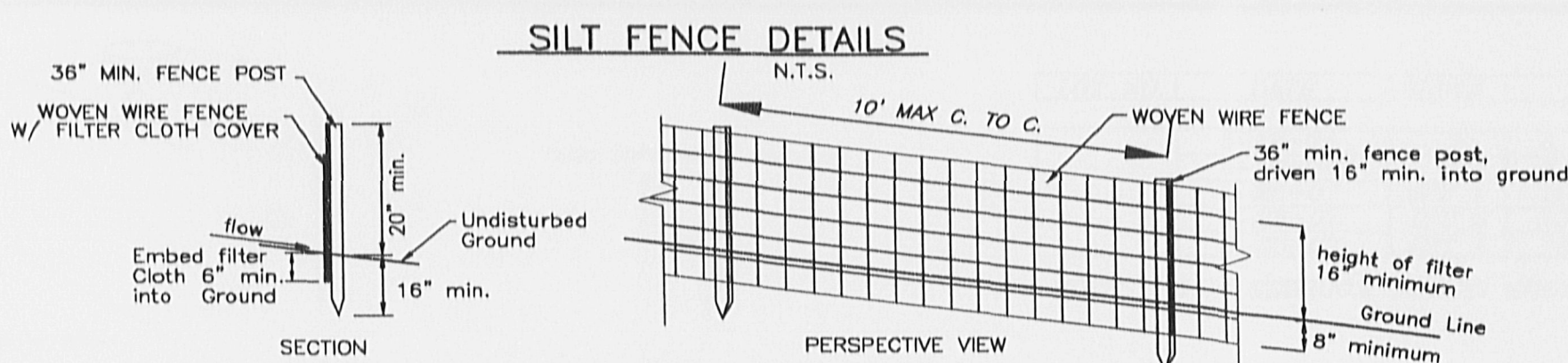
Date	



STRAW BALE DIKE NOTES:

- BALES SHALL BE PLACED AT THE TOE OF A SLOPE OR ON THE CONTOUR AND IN A ROW WITH ENDS TIGHTLY ABUTTING THE ADJACENT BALES.
- EACH BALE SHALL BE EMBEDDED IN THE SOIL A MINIMUM OF 4", AND PLACED SO THE BINDINGS ARE HORIZONTAL.
- BALES SHALL BE SECURELY ANCHORED IN PLACE BY EITHER TWO STAKES OR REBAR'S DRIVEN THROUGH THE BALE. THE FIRST STAKE IN EACH BALE SHALL BE DRIVEN TOWARD THE PREVIOUSLY LAID BALE AT AN ANGLE TO FORCE THE BALES TOGETHER. STAKES SHALL BE DRIVEN FLUSH WITH THE BALE.
- INSPECTION SHALL BE FREQUENT AND REPAIR REPLACEMENT SHALL BE MADE PROMPTLY AS NEEDED.
- BALES SHALL BE REMOVED WHEN THEY HAVE SERVED THEIR USEFULNESS SO NOT TO BLOCK OR IMPED STORM FLOW OR DRAINAGE.
- STRAW BALE DIKES HAVE AN ESTIMATED DESIGN LIFE OF 3 MONTHS.

LINE #	LINE CHART BEARING	DISTANCE
L1	N 83°08'41" E	149.36'
L2	N 83°08'41" E	18.05'
L3	S 16°24'08" W	37.23'



CONSTRUCTION NOTES FOR FABRICATED SILT FENCE

- WOVEN WIRE FENCE TO BE FASTENED SECURELY TO FENCE POST WITH WIRE TIES OR STAPLES.
 - FILTER CLOTH TO BE FASTENED SECURELY TO WOVEN WIRE FENCE WITH TIES SPACED EVERY 24" AT TOP AND MID SECTION.
 - WHEN TWO SECTIONS OF FILTER CLOTH ADJOIN EACH OTHER THEY SHALL BE OVERLAPPED BY 6" AND FOLDED.
 - MAINTENANCE SHALL BE PERFORMED AS NEEDED AND MATERIAL REMOVED WHEN 'BULGES' DEVELOP IN THE SILT FENCE.
- POST: Steel either 'T' or 'U' type or 2" hardwood
FENCE: woven wire, 14 1/2 Ga. 6" max. mesh opening
FILTER CLOTH: filter X, Mirafi 100x, Stabilinka 1140N or approved equal
PREFABRICATED UNIT: Geotab, Envirofence, or approved equal.

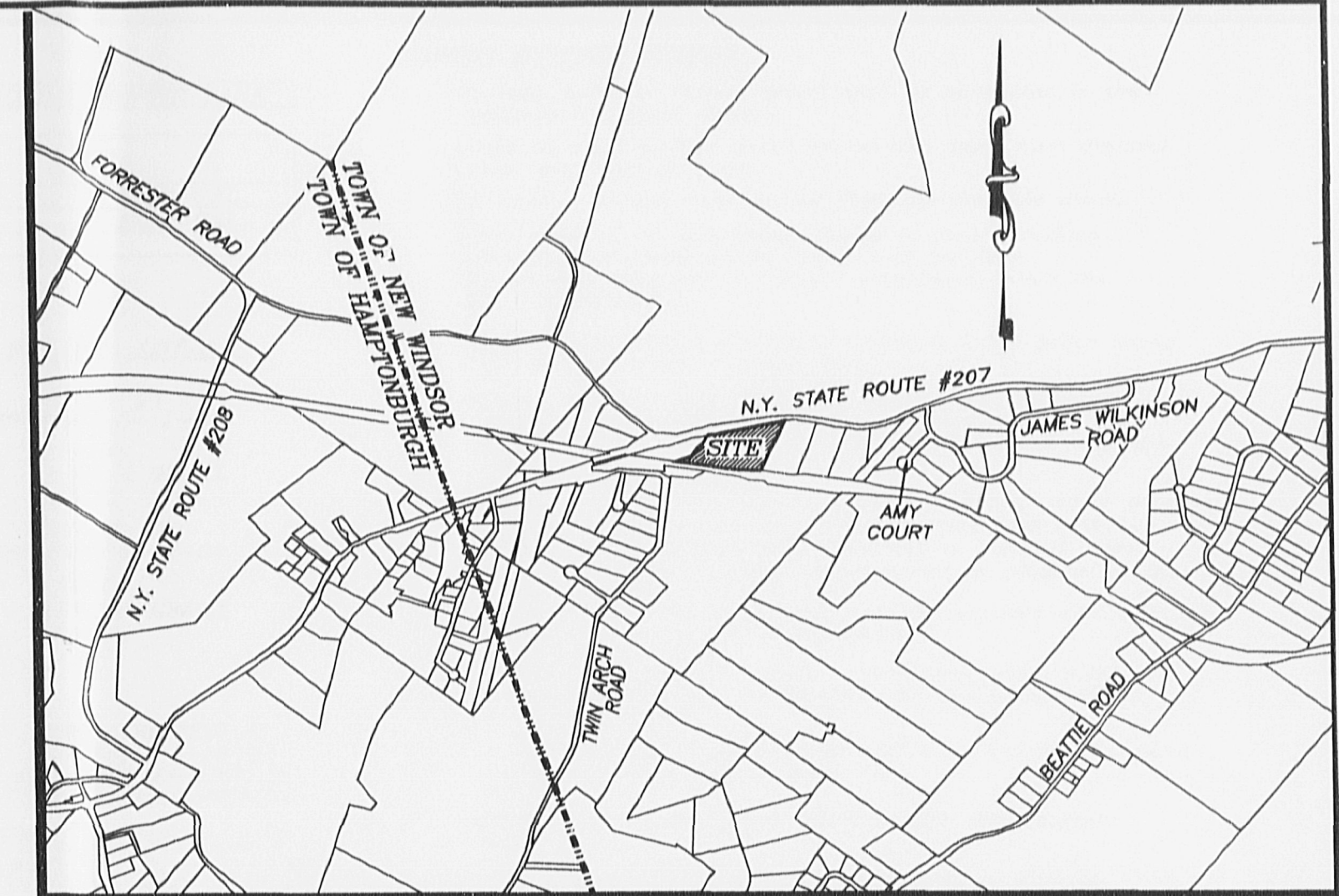
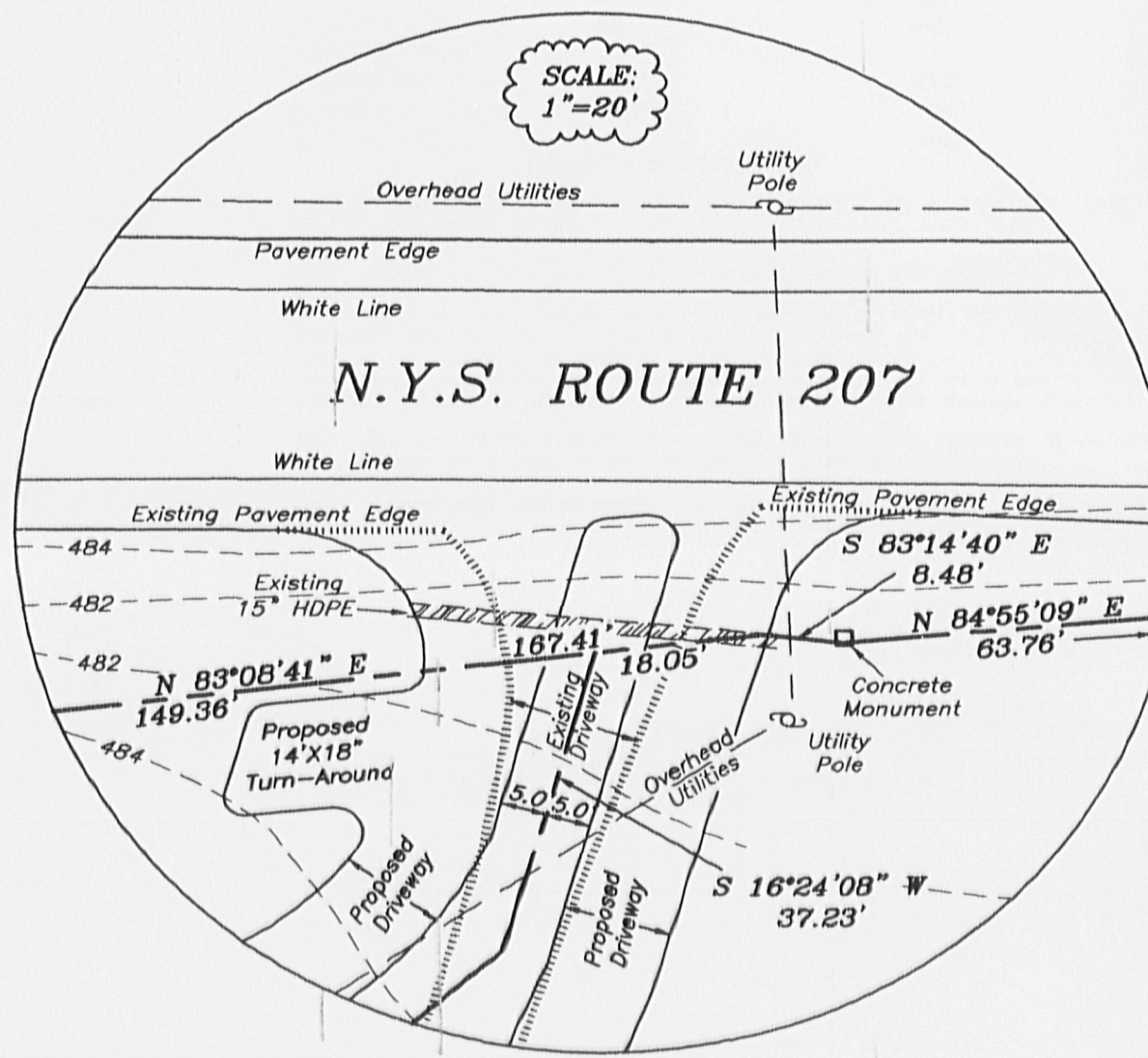
N.Y.S. ROUTE 207

LANDS NOW OR FORMERLY FRIEND
SECTION 51, BLOCK 1, LOT 90.221
LIBER 4015 PAGE 13

LANDS NOW OR FORMERLY GARVEY
SECTION 55, BLOCK 1, LOT 84

LANDS NOW OR FORMERLY CONGELOSI
SECTION 55, BLOCK 1, LOT 32.2
LIBER 2057 PAGE 407

LANDS NOW OR FORMERLY ORTIZ
SECTION 55, BLOCK 3, LOT 4
LIBER 11544 PAGE 517
FILED MAP
LOT # 4



LOCATION MAP
SCALE: 1"=1500'

ZONING REGULATIONS:

ZONE: R-1 RURAL RESIDENTIAL

MINIMUM REQUIREMENTS:	PROPOSED LOT #1	PROPOSED LOT #2
LOT AREA GROSS	80,000 SQ. FT.	152,756 SQ. FT.
LOT AREA NET	48,000 SQ. FT.	96,705 SQ. FT.
LOT WIDTH	175 FT.	190.8 FT.
FRONT YARD	45 FT.	175.9 FT.
ONE SIDE YARD	40 FT.	46.3 FT.
BOTH SIDE YARDS	80 FT.	181.7 FT.
REAR YARD	50 FT.	285.4 FT.
STREET FRONTAGE	70 FT.	190.8 FT.

MAXIMUM PERMITTED:			
BUILDING HEIGHT	35 FT.	28 FT.	24 FT.
DEVELOPMENT COVERAGE	20 %	5%	3%

MINIMUM PERMITTED:			
LIVABLE AREA	1,200 SQ. FT.	2,250 SQ. FT.	2,000 SQ. FT.

RECORD OWNER & SUBDIVIDER:
JOSEPH M. & JAMIE E. FUMAROLA
2049 LITTLE BRITAIN ROAD
ROCK TAVERN, NEW YORK 12575

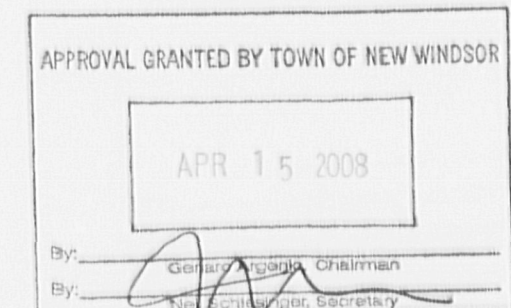
TAX MAP DESIGNATION:
SECTION 55, BLOCK 3, LOT 5

DEED REFERENCE:
LIBER 11617 PAGE 106

TOTAL ACREAGE:
266,136 SQ. FT. OR
6.11± ACRES

MAP REFERENCE:
BEING LOT #5 ON A MAP ENTITLED, "5 LOT SUBDIVISION & LOT LINE CHANGE FOR RICK-LYNN ENTERPRISES, INC. AND EILEEN J. GARVEY", FILED IN THE ORANGE COUNTY CLERK'S OFFICE ON DECEMBER 3, 2003, AS MAP #632-03.

PLANNING BOARD APPROVAL BLOCK



SHEET 1 OF 2 IS INVALID AND INCOMPLETE, AND CANNOT BE FILED WITHOUT SHEET 2 OF 2

JOHN J. DRAGAN, P.E., L.S.
5 PERRY CREEK ROAD
WASHINGTONVILLE, N.Y. 10992

REVISED: NOVEMBER 20, 2007 - JOINT PERC TESTS, ZONING

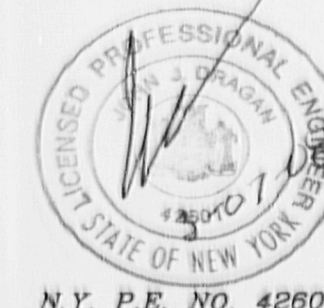
DANIEL P. YANOSH N.Y.S. L.S.
P.O. BOX 320 - 2194 N.Y.S. ROUTE 902
CIRCLEVILLE, NEW YORK 10619
PHONE #: (845) 361-4700 FAX #: (845) 361-4722

2 LOT SUBDIVISION

LANDS OF:
JOSEPH M. & JAMIE D. FUMAROLA
NEW YORK STATE ROUTE 207
TOWN OF NEW WINDSOR
ORANGE COUNTY, NEW YORK

SHEET #
1 of 2

DRAWN BY: S.B. CHECKED BY: D.P.Y. SCALE: 1" = 60' DATE: 1-02-07 JOB #: 2002-172



JANUARY 9, 2007

CERTIFIED TO:

JOSEPH M. & JAMIE D. FUMAROLA

TO BE A TRUE SURVEY PERFORMED IN THE FIELD ON JANUARY 31, 2003 AND THAT IT IS TO THE BEST OF MY KNOWLEDGE AND BELIEF CORRECT.

DANIEL P. YANOSH, L.L.S.
N.Y.S. LIC. # 49581

I HEREBY AGREE, UPON MY REVIEW, THAT THIS MAP MEETS MY APPROVAL AND IS CONCURRENT WITH MY INTENT

OWNER DATE

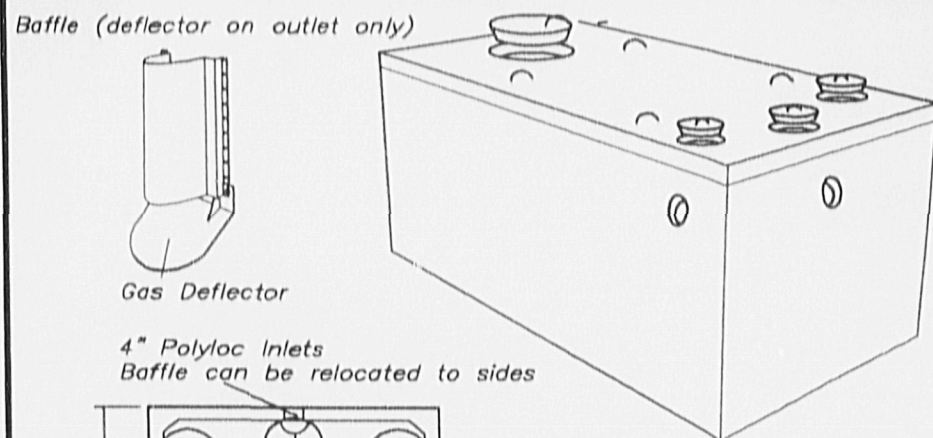
OWNER DATE

SURVEY NOTES:

- CERTIFICATIONS INDICATED HEREON SIGNIFY THAT THIS SURVEY WAS PREPARED IN ACCORDANCE WITH THE EXISTING CODE OF PRACTICE FOR LAND SURVEYORS ADOPTED BY THE NEW YORK STATE ASSOCIATION OF PROFESSIONAL LAND SURVEYORS. SAID CERTIFICATIONS SHALL RUN ONLY TO THOSE NAMED INDIVIDUALS AND/OR INSTITUTIONS FOR WHOM THE SURVEY IS PREPARED. CERTIFICATIONS ARE NOT TRANSFERABLE TO ADDITIONAL INDIVIDUALS, INSTITUTIONS, THEIR SUCCESSORS AND/OR ASSIGNS OR SUBSEQUENT OWNERS.
- UNAUTHORIZED ALTERATION OR ADDITION TO A SURVEY MAP BEARING A LICENSED LAND SURVEYOR'S SEAL IS A VIOLATION OF SECTION 7209, SUBDIVISION 2 OF THE N.Y. STATE EDUCATION LAW. ONLY COPIES FROM THE ORIGINAL OF THIS SURVEY MARKED WITH AN ORIGINAL OF THE LAND SURVEYOR'S INKED SEAL OR HIS EMBOSSED SEAL SHALL BE CONSIDERED TO BE VALID TRUE COPIES.
- SUBJECT TO AN UP TO DATE ABSTRACT OF TITLE. SUBJECT TO UNDERGROUND UTILITIES AND EASEMENTS NOT RECORDED AND/OR NOT VISIBLE AT TIME OF FIELD SURVEY.

NOTES:

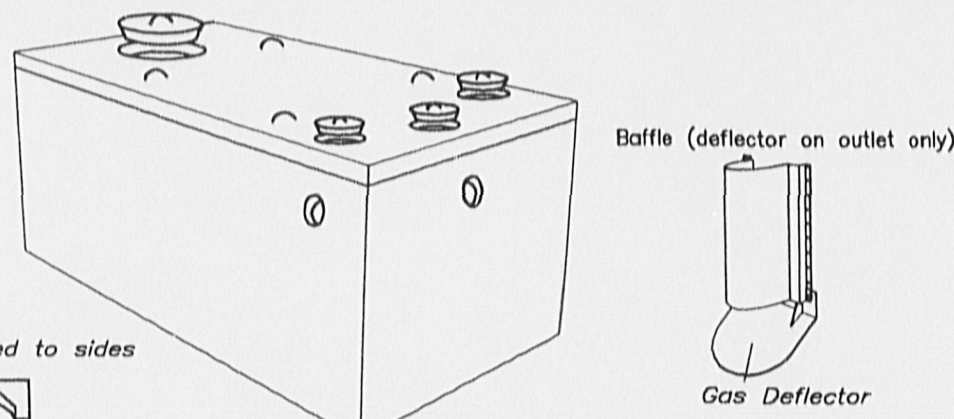
- THE SANITARY SEWAGE DISPOSAL SYSTEM SHALL BE DESIGNED AND CONSTRUCTED IN ACCORDANCE WITH NEW YORK STATE DEPARTMENT OF HEALTH STANDARDS AND THE PROVISIONS OF THE PUBLIC HEALTH LAW.
- THE SANITARY SEWAGE DISPOSAL SYSTEM SHALL BE DESIGNED BY A NEW YORK STATE LICENSED DESIGN PROFESSIONAL AND APPROVED BY THE TOWN OF NEW WINDSOR BUILDING INSPECTOR PRIOR TO THE ISSUANCE OF A BUILDING PERMIT. THE SYSTEM SHALL BE INSPECTED DURING CONSTRUCTION AND CERTIFIED AS TO CONFORMANCE TO DESIGN OF OCCUPANCY.
- THE TOPOGRAPHY SHOWN WAS PRODUCED BY FIELD METHODS AND IS REFERENCED TO ASSUMED VERTICAL DATUM TAKEN FROM THE U.S.G.S. MAYBROOK QUADRANGLE.
- ALL WELLS AND SEPTIC SYSTEMS WITHIN 200 FEET OF THIS PROJECT HAVE BEEN LOCATED AND ARE SHOWN ON THE PLAN.
- INDIVIDUAL WELLS AND SEWAGE DISPOSAL SYSTEMS SHALL NO LONGER BE CONSTRUCTED OR USED FOR HOUSEHOLD PURPOSES WHEN PUBLIC FACILITIES BECOME AVAILABLE. CONNECTION TO THE PUBLIC SEWER SYSTEM IS REQUIRED WITHIN 1 YEAR OF AVAILABILITY.
- THE APPROVED PLANS MUST BE FILED WITH THE ORANGE COUNTY CLERK'S OFFICE PRIOR TO OFFERING LOTS FOR SALE AND WITHIN 90 DAYS OF THE LAST APPROVAL OF FINAL PLANS.
- THERE SHALL BE NO FURTHER SUBDIVISION OF THESE LOTS WITHOUT ORANGE COUNTY DEPARTMENT OF HEALTH APPROVAL.
- ALL WELLS AND SEPTIC SYSTEMS WITHIN 200 FEET OF THIS PROJECT HAVE BEEN LOCATED AND ARE SHOWN ON THIS PLAN.
- THE PURCHASER OF EACH LOT SHALL BE PROVIDED WITH A COPY OF THE APPROVED PLANS AND AN ACCURATE AS-BUILT DRAWING OF ANY EXISTING SANITARY FACILITIES.



TYPICAL CONCRETE SEPTIC TANKS

NOT TO SCALE

3 BEDROOM DWELLING REQUIRES 1000 GAL. SEPTIC TANK
4 BEDROOM DWELLING REQUIRES 1250 GAL. SEPTIC TANK
5 BEDROOM DWELLING REQUIRES 1250 GAL. SEPTIC TANK
NOTE:
SEPTIC TANK JOINTS ARE TO BE SEALED AND INSPECTED FOR WATER TIGHTNESS. THE TANK IS TO BE INSTALLED AND MAINTAINED AS PER APPENDIX 75-A.



SPECIFICATIONS	PRECAST SEPTIC TANKS
Concrete Minimum Strength: 4,000 psi at 28 days	MODEL ST-1000 / 1000 GALLONS
Reinforcement: 6"x6"x10ga. Wire Mesh, #4 Rebar	
Air Entrainment: 5%	
Construction Joint: Butyl Rubber Sealant	Woodard's Concrete Products, Inc.
Pipe Connection: Polylok Seal (patented)	629 Lybolt Road, Bullville, NY 10915
Load Rating: 300 psf Weight = 8,700 lbs	(914) 361-3471 / Fax 361-1050
	Page 2A

SPECIFICATIONS	PRECAST SEPTIC TANKS
Concrete Minimum Strength: 4,000 psi at 28 days	MODEL ST-1250 / 1250 GALLONS
Reinforcement: 6"x6"x10ga. Wire Mesh, #4 Rebar	
Air Entrainment: 5%	
Construction Joint: Butyl Rubber Sealant	Woodard's Concrete Products, Inc.
Pipe Connection: Polylok Seal (patented)	629 Lybolt Road, Bullville, NY 10915
Load Rating: 300 psf Weight = 9,500 lbs	(914) 361-3471 / Fax 361-1050
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LOT NO.	DATE	TEST#	RATE	DESIGN RATE	NO. B.R.	TRENCHES REQ'D	TRENCHES PROVIDED	SEPTIC TANK
2	5-12-04	1	4 MIN.	18-20 MIN.	3	279 L.F.	300 L.F.	1000 GAL.
	5-12-04	2	3 MIN.					
	6-28-07	JPT 1	11 MIN.					
	6-28-07	JPT 2	19 MIN.					
2	6-28-07	JPT 3	18 MIN.	18-20 MIN.	4	372 L.F.	400 L.F.	1250 GAL.
	6-28-07	JPT 3	18 MIN.					

NOTES: 1. 4 BEDROOM DESIGN SHOWN ON PLAN.

PERCOLATION TEST DATA LOT # 2

PERC TEST #1		
PERFORMED 5-12-04		
START	FINISH	RATE
10:31	10:32	2 MIN.
10:34	10:38	4 MIN.
10:40	10:44	4 MIN.

DEEP TEST PIT DATA LOT # 2

	TEST PIT #1	
	PERFORMED 5-12-04	
1'	TOPSOIL	
4'	SAND & GRAVEL	
3'	GRAVEL	
	TEST PIT #2	

PERC TEST #2		
PERFORMED 5-12-04		
START	FINISH	RATE
11:02	11:04	2 MIN.
11:06	11:09	3 MIN.
11:11	11:14	3 MIN.

PERFORMED 5-12-04	
1'	TOPSOIL
4'	SAND & GRAVEL
3'	GRAVEL

JOINT PERC TEST #1
PERFORMED 6-28-07
WITH REPRESENTATIVE OF
TOWN ENGINEER PRESENT

START	FINISH	RATE
9:16	9:24	8 MIN.
9:25	9:34	9 MIN.
9:34	9:45	10 MIN.

JOINT PERC TEST #2
PERFORMED 6-28-07
WITH REPRESENTATIVE OF
TOWN ENGINEER PRESENT

START	FINISH	RATE
9:36	9:41	5 MIN.
9:42	9:52	10 MIN.
9:57	10:08	11 MIN.
10:12	10:25	13 MIN.

JOINT PERC TEST #3
PERFORMED 6-28-07
WITH REPRESENTATIVE OF
TOWN ENGINEER PRESENT

START	FINISH	RATE
9:21	9:34	13 MIN.
9:35	9:50	15 MIN.
9:51	10:09	18 MIN.

SEPARATION DISTANCES FROM WASTEWATER SOURCES

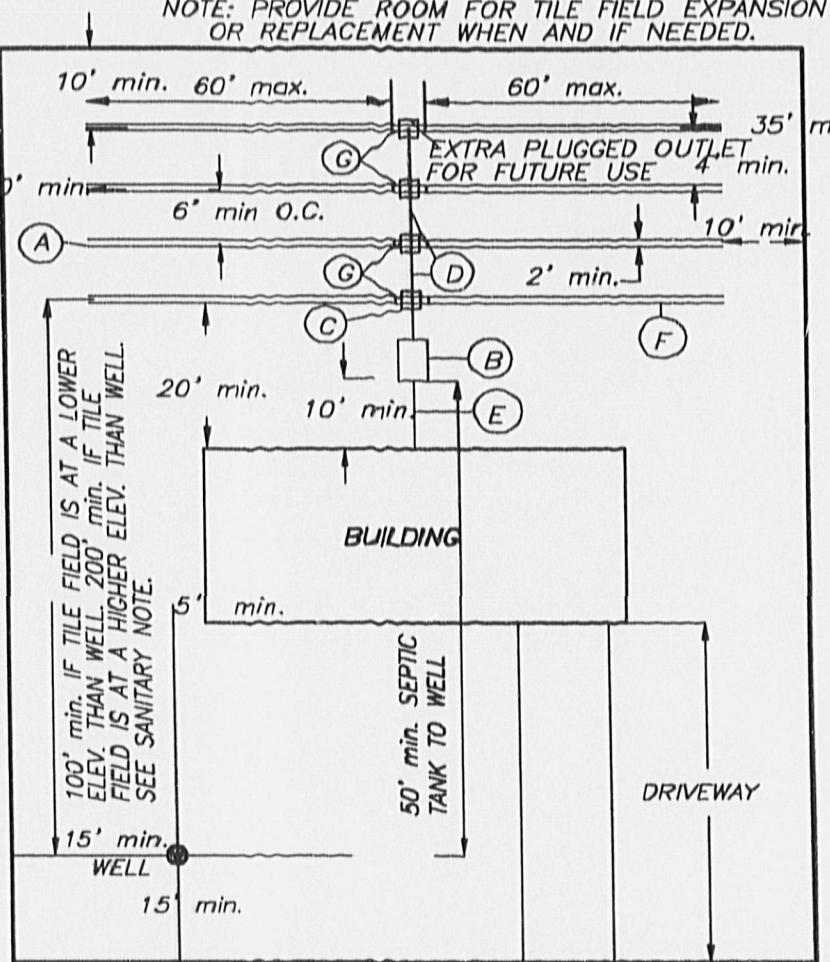
WASTEWATER SOURCES	WELL OR (c) SUCTON LINE	TO STREAM, LAKE OR WATER COURSE (c)	DWELLING	PROPERTY LINE
HOUSE SEWER (WATERTIGHT JOINTS)	25' if c.p. pipe	25'	---	10'
SEPTIC TANK	50' otherwise	50'	10'	10'
EFFLUENT LINE TO DISTRIBUTION BOX	50'	50'	10'	10'
DISTRIBUTION BOX	100'	100'	20'	10'
ABSORPTION FIELD	100' (B)	100'	20'	10'
SEEPAGE PIT	150' (b)	100'	20'	10'

ABSORPTION FIELD - 35' SEPARATION DISTANCE TO A DRAINAGE PIPE, SWALE OR CATCH BASIN

(a) Water service and sewer lines may be in the same trench if cast iron sewer with lead-caulked joints is laid at all points 12" below water service pipe; or sewer may be dropped shelf at one side at least 12" below water service pipe, provided that the sewer pipe is laid below frost with light and root-proof joints and is not subject to settling, superimposed loads or vibration. Water service lines under pressure shall not pass closer than 10' of a septic tank, absorption tile field, leaching pit, privy or any other part of a sewage disposal system.

(b) Sewage disposal systems located of necessity upgrade in general path of drainage to a well should be spaced 200' or more away.

(c) mean high water mark



TYPICAL LOT DIMENSIONS

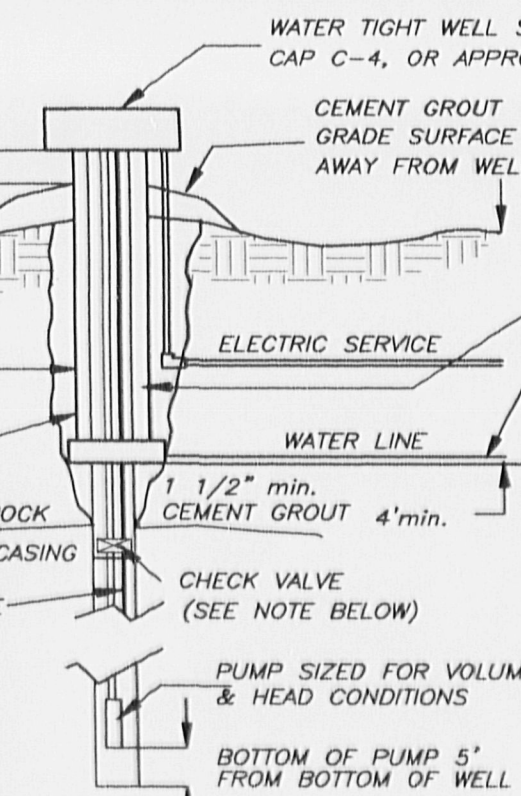
NOT TO SCALE

- (A) 4" PERFORATED PVC PIPE - SLOPE 1/16"-1/32" PER FOOT.
- (B) SEPTIC TANK - AS SHOWN IN DETAIL.
- (C) DROP MANHOLE DISTRIBUTION BOX AS SHOWN IN DETAIL.
- (D) 4" PVC PIPE, SDR35 SLOPE 1/8" PER FOOT MIN.
- (E) HOUSE SEWER 4" CAST IRON, SLOPE 1/4" PER FOOT MIN.
- (F) TRENCH WIDTH 24".
- (G) 2' OF SOLID PVC EACH SIDE OF DISTRIBUTION BOX



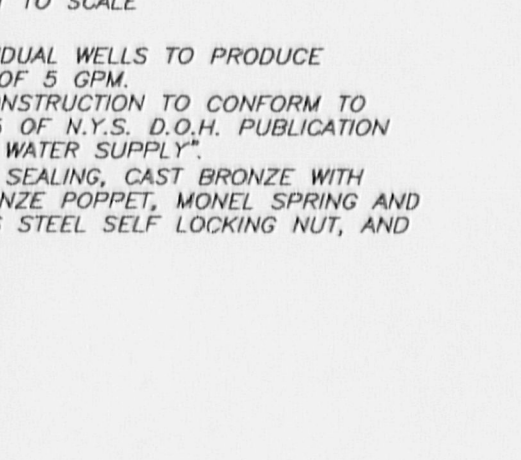
LONGITUDINAL TRENCH SECTION

NOT TO SCALE



WELL DETAIL

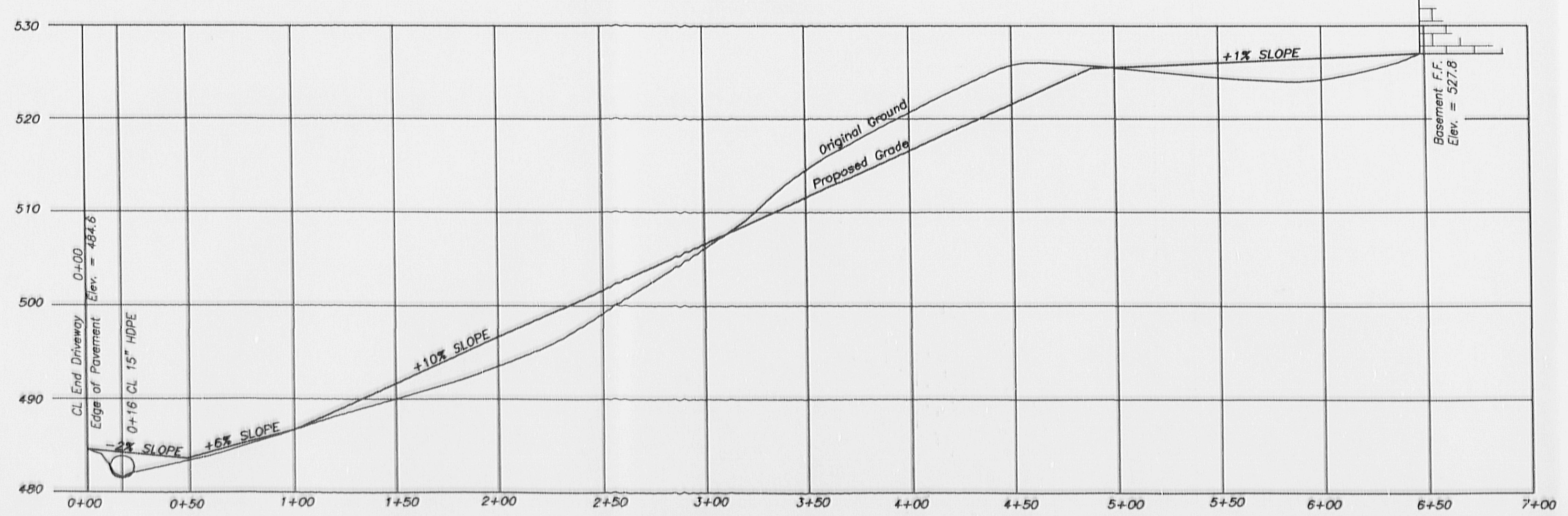
NOT TO SCALE



- NOTES: 1. ALL INDIVIDUAL WELLS TO PRODUCE A MIN. OF 5 GPM.
- 2. WELL CONSTRUCTION TO CONFORM TO TABLE 5 OF N.Y.S. D.O.H. PUBLICATION "RURAL WATER SUPPLY".
- 3. POSITIVE SEALING, CAST BRONZE WITH CAST BRONZE POPPET, MONEL SPRING AND STAINLESS STEEL SELF LOCKING NUT, AND RETAINER

SPECIFICATIONS	PRECAST DISTRIBUTION BOXES
Concrete Minimum Strength: 4,000 psi at 28 days	MODEL DB-6WB / 5 OUTLETS W/BAFFLE
Reinforcement: Fiber	
Air Entrainment: 5%	
Pipe Connection: Polylok Seal (patented)	Woodard's Concrete Products, Inc.
Load Rating: 300 psf Weight = 110 lbs	629 Lybolt Road, Bullville, NY 10915
	(914) 361-3471 / Fax 361-1050
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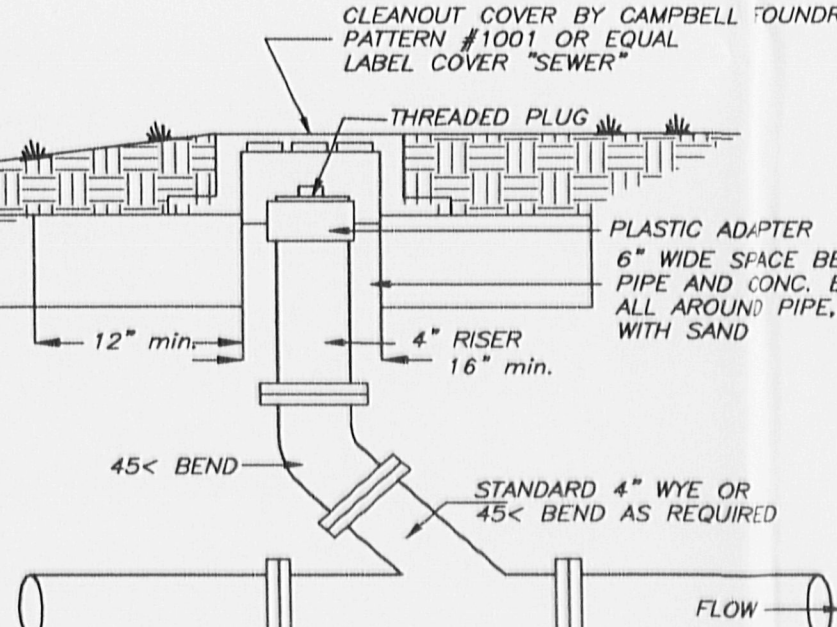
VELOCITY REDUCING CHAMBER



Driveway Profile Lot # 2

Vertical Scale 1" = 10'

Horizontal Scale 1" = 50'



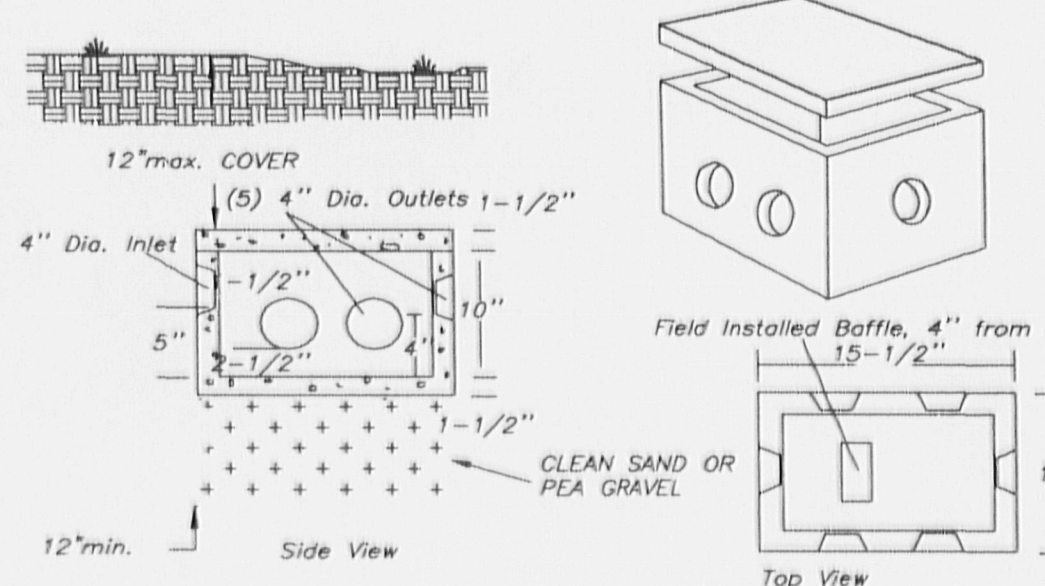
TYPICAL CLEAN-OUT DETAIL

NOT TO SCALE

- NOTES: 1. DO NOT INSTALL TRENCHES IN WET SOILS.
- 2. RAKE TRENCH BOTTOM AND SIDES IMMEDIATELY BEFORE PLACING GRAVEL.
- 3. DO NOT EXCEED TRENCH DEPTH OF 30" w/12" EARTH COVER AS A MAX.
- 4. SPACING OF ABSORPTION TRENCHES SHALL BE A MINIMUM OF 6 FT. ON CENTER
- 5. 4 FT. MINIMUM OF UNDISTURBED SOIL BETWEEN TRENCHES

CONSTRUCTION NOTES

- 1. CONCRETE MINIMUM STRENGTH 400 LBS @ 28 DAYS, WITH REINFORCED FIBER
- 2. ALL JOINTS TO BE SEALED WITH ASPHALTIC MATERIAL
- 3. PROVIDE NATIVE MATERIAL AS BACKFILL IN THE TRENCHES BETWEEN EACH DISTRIBUTION BOX



SPECIFICATIONS	PRECAST DISTRIBUTION BOXES
Concrete Minimum Strength: 4,000 psi at 28 days	MODEL DB-6DB / 5 OUTLET DROP BOX
Reinforcement: Fiber	
Air Entrainment: 5%	
Pipe Connection: Polylok Seal (patented)	Woodard's Concrete Products, Inc.
Load Rating: 300 psf Weight = 75 lbs	629 Lybolt Road, Bullville, NY 10915
	(914) 361-3471 / Fax 361-1050
	Page 2B

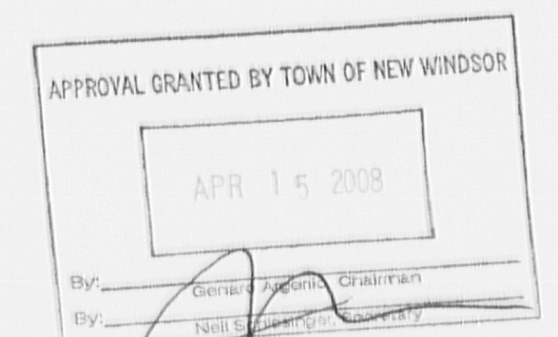
DROP MANHOLE DISTRIBUTION BOX

NOT TO SCALE

SEPTIC SYSTEM NOTES:

- No roof, cellar or footing drains shall be connected to the subsurface disposal system.
- Grade to drain surface water around and away from disposal field and seed to grass.
- All trees & shrubs must be cut from the tile field areas.
- There shall be no substantial change in ground surface elevations or grades at the location of the field. Installation, virgin soil to remain undisturbed before the tile field installation.
- Septic system design shall be a minimum 1,000 gallon septic tank and tile length as indicated.
- All work shall be done in accordance with recommended standards and criteria as specified by the New York State Department of Environmental Conservation and the New York State Department of Health.
- These septic systems are not designed to accommodate garbage grinders, water softeners, or Jacuzzi - type tubs over 100 gallons. As such, these items shall not be installed unless the sewage disposal system is redesigned to account for them.
- A minimum of 4" of usable soil must be provided over any bedrock or ground water encountered.
- No swimming pools, driveways, or structures which may compact the soil shall be located over any portion of the absorption field.
- Tile field must be a minimum of 100' from any stream, pond, or new York state dec wetlands.
- Well to be a minimum 100' uphill or 200' from septic field.
- There must be an uninterrupted positive slope from the septic tank to the house, allowing the septic gases to discharge through the stack vent.
- Water saving fixtures and devices recommended for home use.
- Sewage disposal systems must be laid out in the field, supervised and inspected during construction and certified as complete in accordance with the approved plans and New York State Standards by a professional engineer licensed in the State of New York.
- Town of New Windsor requirements in regard to permits and inspections to be observed.
- Reserve sewage system absorption area shall be equal to 50% of the size as her designed.
- All laundry waste and other gray water to be discharged to septic system.
- Piping to be laid on a firm foundation at a minimum slope as shown, without any bends or depressions.
- Sewage system separation distances to comply with separation distances chard provided (see details).
- Contractor shall inspect septic tank after the first year's operation to insure against abnormal sludge build up as set forth in Table 5 of the New York State Department of Health Waste Treatment Handbook.
- A New York state licensed professional engineer shall inspect the sanitary facilities (water supply, any water treatment, and sewage disposal facilities) at the time of construction. Prior to occupancy of the house, the engineer shall certify to the orange county department of health and the local code enforcement officer that the facilities are installed in accordance with the approved plans and that any septic tank joints are sealed and tested for watertightness.
- Heavy equipment shall be kept off of the area of the tile field except for the actual construction of the field.
- If a total of more than 49 lots are created by this and any subsequent subdivision of this entire property, public water supply and sewerage will be provided to all lots including those on this subdivision.
- All wells, sewage disposal systems and other sanitary facilities must be constructed in full accordance with these plans. Any change in location or design must have the prior written approval of the Town of New Windsor Engineer.
- No lot is to be further subdivided without orange co. health department review and approval and reapproved by the orange co. health department
- The purchaser of each lot shall be provided with a copy of the approved plans and an accurate as-built plan of any existing sanitary facilities.

PLANNING BOARD APPROVAL BLOCK



SHEET 2 OF 2 IS INVALID AND INCOMPLETE, AND CANNOT BE FILED WITHOUT SHEET 1 OF 2

JOHN J. DRAGAN, P.E., L.S.
5 PERRY CREEK ROAD
WASHINGTONVILLE, N.Y. 10992

DANIEL P. YANOSH, N.Y.S. L.S.
P.O. BOX 320 - 2194 N.Y.S. ROUTE 302
CIRCLEVILLE, NEW YORK 10919
PHONE #: (845) 361 - 4700 FAX #: (845) 361 - 4722

2 LOT SUBDIVISION

LANDS OF:
JOSEPH FUMAROLA
NEW YORK STATE ROUTE 207
TOWN OF NEW WINDSOR
ORANGE COUNTY, NEW YORK

SHEET #

2 of 2

DRAWN BY:	CHECKED BY:	SCALE:	DATE:	JOB #:
S.B.	D.P.Y.	1" = 60'	1-03-2007	2002-172